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Security Council

Fifty-eighth year

Provisional

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Tuesday, 14 October 2003, 10.30 a.m.

New York

President:	Mr. Negroponte	(United States of America)
Members:	Angola	Mr. Gaspar Martins
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Belinga-Eboutou
	Chile	Mr. Maquieira
	China	Mr. Wang Guangya
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Guinea	Mr. Sow
	Mexico	Mr. Aguilar Zinser
	Pakistan	Mr. Akram
	Russian Federation	Mr. Lavrov
	Spain	Mr. Arias
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry

Agenda

The situation in the Middle East, including the Palestinian question

Letter dated 9 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/2003/973)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-55722 (E)

The meeting was called to order at 11.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

Letter dated 9 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/2003/973)

The President: I should like to inform the Council that I have received letters from the representatives of Argentina, Bahrain, Brazil, Cuba, Egypt, Indonesia, the Islamic Republic of Iran, Israel, Italy, Japan, Jordan, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Nepal, New Zealand, Norway, Qatar, Saudi Arabia, South Africa, the Sudan, Tunisia, Turkey, the United Arab Emirates and Yemen in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Gillerman (Israel) took a seat at the Council table.

At the invitation of the President, the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: I should like to inform the Council that I have received a letter dated 13 October 2003 from the Permanent Observer of Palestine to the United Nations, which will be issued as document S/2003/988, and which reads as follows:

> "I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council to be held on 14 October 2003 regarding the situation in the occupied Palestinian territory, including East Jerusalem."

I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to participate in the current debate in accordance with the rules of procedure and the previous practice in this regard.

There being no objection, it is so decided.

At the invitation of the President, Mr. Al-Kidwa (Palestine) took a seat at the Council table.

The President: I should also like to inform the Council that I have received a letter dated 9 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations, which reads as follows:

> "In accordance with rule 39 of the rules of procedure of the Security Council, I have the honour to request the participation of Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States to the United Nations, in the meeting regarding the decision by Israel to proceed with the construction of its expansionist conquest wall in the Occupied Palestinian Territory, including East Jerusalem."

That letter is published as a document of the Security Council under the symbol S/2003/975.

If I hear no objection, I shall take it that the Council agrees that an invitation under rule 39 should be extended to His Excellency Yahya Mahmassani.

I invite the Permanent Observer for the League of Arab States to take the seat reserved for him at the side of the Council Chamber.

The President: I should also like to inform the Council that I have received a letter dated 13 October 2003 from the Permanent Representative of the Islamic Republic of Iran to the United Nations which reads as follows:

> "In my capacity as Chairman of the Organization of the Islamic Conference (OIC) Group at the United Nations, I have the honour to request that the Security Council extend an invitation to Mr. Ahmad Hajihosseini, deputy permanent observer of OIC to the United Nations, Chargé d'affaires, a.i., to address the Council under rule 39 of its provisional rules of procedure in the course of the Council's consideration of the

agenda item 'The situation in the Middle East, including the Palestinian question'."

This letter will be published as a document of the Security Council under the symbol S/2003/989.

If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 to Mr. Ahmad Hajihosseini.

There being no objection, it is so decided.

I invite Mr. Hajihosseini to take the seat reserved for him at the side of the Council Chamber.

I should like to inform the Council that I have received a letter dated 13 October 2003 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which reads as follows:

> "In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I have the honour to request that I be invited to participate in the debate on the situation in the Middle East, including the Palestinian question, under rule 39 of the provisional rules of procedure of the Security Council."

On previous occasions, the Security Council has extended invitations to representatives of other United Nations bodies in connection with the consideration of matters on its agenda. In accordance with past practice in the matter, I propose that the Council extend an invitation under rule 39 of its provisional rules of procedure to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

There being no objection, it is so decided.

I invite the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Mr. Papa Louis Fall, to take the seat reserved for him at the side of the Council Chamber.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in response to the request contained in a letter dated 9 October 2003 from the representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council, document S/2003/973.

I should also like to draw the attention of Council members to documents S/2003/974 and S/2003/977, which contain the texts of letters dated 9 October 2003 from the representatives of Malaysia and the Islamic Republic of Iran, respectively.

As a measure to optimize the use of our time, in order to allow as many delegations to take the floor as possible, I will not individually invite speakers to take seats at the table. When a speaker is taking the floor, the Conference Officer will seat the next speaker on the list at the table.

The first speaker inscribed on my list is the Permanent Observer of Palestine, to whom I give the floor.

Mr. Al-Kidwa (Palestine) (*spoke in Arabic*): It is indeed difficult for the international community to keep pace with the successive crimes committed by Israel. Before I deal with the question before the Council today, I cannot but refer to the crimes committed by Israel, the occupying Power, in the Rafah refugee camp and around the city in the last few days. We had sent two letters to you, Mr. President, about this matter.

The occupation forces killed eight Palestinians and wounded more than 70. According to a report by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), it completely demolished nearly 120 houses, and 50 houses were partially destroyed. This led to the evacuation of about 1,500 Palestinian citizens from their homes. Rafah now looks as if it had been struck by an earthquake. This is the result not of a natural disaster, but of human evil — the evil of the Israeli occupation.

Amnesty International has described the events that took place in Rafah as a war crime. Nevertheless, the occupation forces today returned once again to the area and issued military orders to deport 15 Palestinian citizens from their homes in the occupied West Bank to the Gaza Strip. This is a grave violation of international humanitarian law and of numerous Security Council resolutions.

The Council and the international community must deal with all these matters and other, similar ones, at a subsequent stage.

Israel, the occupying Power, is committing an immense war crime against the Palestinian people — a crime that has the magnitude of a crime against

humanity — by building an expansionist wall in the occupied Palestinian territories, including East Jerusalem. This has involved the confiscation and destruction of thousands of dunums of Palestinian land; the destruction of the livelihood of tens of thousands of Palestinian civilians; and the illegal, de facto annexation of extensive areas of occupied Palestinian land.

With the continued building of this expansionist wall — if the international community permits the continuation of such a crime — Israel will have effectively transferred large numbers of Palestinian civilians and will have confined the rest of the Palestinian people in several walled bantustans with additional secondary walls inside them. It will, of course, also have effectively destroyed the possibility of the existence of an independent, sovereign State of Palestine and the potential for achieving a political settlement of the Israeli-Palestinian conflict in line with the two-State vision, based on Security Council resolution 242 (1967) and the armistice line of 1949, known also as the line of 1967.

Israel, the occupying Power, began building the first phase of its wall in the northwest areas of the occupied West Bank in June 2002. For several months it succeeded in avoiding any real response by the international community to this action because of the secrecy surrounding the planning of the wall and the false impression it created about compliance, albeit relative, with the armistice line. In addition, of course, to the continuation of its bloody military campaign against the Palestinian people and the continuation of its media and political campaign against the Palestinian Authority and leadership, different immediate priorities were imposed on the Palestinian side and on the international community.

Under this cover, Israel, the occupying Power, actually concluded what it refers to as the first phase. It declared, in April 2003, the completion of 27 kilometres of the expansionist wall and then, by the end of the summer, the completion of the entire first phase of about 150 kilometres.

The wall is composed of several components, including, in some areas, concrete walls 8 metres high with fortified guard towers and, in others, several fences, including electrical ones, containing all or most of the following: trenches, dirt paths, two-lane paved patrol roads, barbed wire, sensors and "no-go" areas, making the width of the wall anywhere from 70 to 100 metres. I hope that Council members will take a look at the two pictures distributed with our statement today. In its first phase, this expansionist wall has already resulted in the confiscation and destruction of approximately 15,000 dunums of land for just the footprint of the wall alone, which also involved the uprooting of more than 100,000 trees and the destruction of 30 kilometres of water networks. Moreover, because the wall has cut deep into Palestinian territories — up to 6 kilometres from the armistice line — it has isolated more than 105,000 dunams of Palestinian land. If the wall is not removed, the fate of that land will be its illegal, de facto annexation by Israel.

The confiscation of the Palestinian land on which the wall has been built and of the Palestinian land isolated between the wall and the armistice line has had destructive effects on the lives of more than 200,000 Palestinian civilians in 65 villages and towns on both sides of the wall. Among other things, it has partially or completely separated those civilians from their land and water resources and from the rest of the Palestinian people. In addition, severe restrictions have been placed on the movements of some of them. These restrictions include the complete walling of the city of Qalqilya and the control of entry and exit into and out of the city through one gate, which is open for only a few hours a day for the city's 40,000 inhabitants.

With regard to occupied East Jerusalem, Israel, the occupying Power, has not contented itself with isolating the city from the rest of the occupied Palestinian territory and with its ongoing attempts to Judaize the city and change its demographic composition. It has built a similar wall up to 8 kilometres long — which could be called the northern wall of Jerusalem — which has resulted in the confiscation of 800 dunams of Palestinian land from the villages of Al-Ram, Kalandia and Kufr Aqab. All of that is part of the plan for a Greater Jerusalem that extends deep into the occupied territory to include the illegal Israeli settlement of "Maale Adumim".

Similar plans are in store for the city of Bethlehem. The city has been completely besieged, especially since the building of a wall 15 kilometres long north of the city — that is to say, south of Jerusalem. The wall is totally suffocating the city in an attempt to provide for the expansion of the Israeli settlements south of occupied Jerusalem.

On 1 October, the Israeli Government adopted plans for the expansionist wall's second phase, which dwarfs the first phase in terms of the extent of the illegal expansion and conquest of Palestinian land, as well as other dangerous consequences in that regard. The second phase is to begin with the establishment of the wall east of the illegal Israeli settlements of "Ariel" and "Kedumim", which will cut more than 22 kilometres into Palestinian land. The consequences of that can only be imagined. Once again, I invite the Council to review the map distributed with our statement, which illustrates the first and second phases, as well as the entire project. If the international community allows the implementation of this phase of such an Israeli crime, then the third and fourth phases will follow, making the length of the wall more than 500 kilometres, at a cost of more than $1 billion. After that, the establishment of the wall on the eastern side of the Palestinian territory will begin in order to isolate it from its international border with Jordan, allowing for the conquest of the Jordan Valley and the completion of the walls of the three or four bantustans on half of the occupied Palestinian territory.

To restate the obvious, the expansionist wall of conquest — in its parts and in its entirety — is illegal. Its construction represents a violation of both Article 2, paragraph 4, and Article 1, paragraph 2 of the Charter of the United Nations. It violates the established principle of international law that prohibits the acquisition of territory by force. It violates article 47 of the Fourth Geneva Convention, which bans any annexation by the occupying Power of the whole or part of the occupied territory. It also violates article 33 of the Geneva Convention, which prohibits collective punishment of protected civilians. Finally, it represents a grave breach of the Convention under article 147, as it involves extensive destruction and appropriation of property. All of that is in addition to its serious violation of relevant Security Council resolutions, including resolution 242 (1967), cornerstone of the peace process, and of the Oslo Agreements. Thus, it is abundantly clear that the establishment of the expansionist conquest wall by the occupying Power is a war crime and, I reiterate, it is of the same magnitude as a crime against humanity.

The establishment of this expansionist wall complements Israeli settlement activities. Their nature is the same in terms of the colonization, conquest and annexation of the land. The wall is another war crime that compounds the other war crime — the Israeli settlement of our land — in addition, of course, to the countless other war crimes committed by the occupying Power against the Palestinian people.

Israel, the occupying Power, has illegally transferred more than 400,000 Israeli settlers to the occupied Palestinian territory, including East Jerusalem, placing them in more than 200 settlements built on more than 8 per cent of Palestinian land, in addition to the land in their vicinities and the additional land they attempt to control. It has established a separate infrastructure and a complete network of roads for those settlers, and it has enabled them to exploit and abuse our natural resources, including our water, and to terrorize our people. Now, with the building of its expansionist wall, the occupying Power is attempting to annex the Palestinian land on which half those settlers are living, while leaving enough room for the expansion of the rest of the settlements and, at the same time, destroying the Palestinian national existence.

Israel has done all of this despite the absolute prohibition of such colonization under the 1949 Fourth Geneva Convention and its Additional Protocol 1, which defines such action as a war crime, as does the Rome Statue of the International Criminal Court. Israel has done all of this despite the fact that the Security Council has reaffirmed the applicability of the Fourth Geneva Convention in 26 resolutions, which demand that the occupying Power comply with its provisions and some of which specifically demand the cessation of settlement activities and declare the annexation of East Jerusalem to be null and void.

How can these Israeli war crimes be appropriately described? Is this classic colonization? We believe it is worse than that. Is this a new apartheid system? We believe it is worse than that. It is a combination that has drawn upon those two ugly phenomena, amounting to the lowest-level thinking of racist colonizers with regard to achieving expansion, colonization and negation of the indigenous people's national existence, which are all in grave breach of fundamental laws and values of the United Nations Charter, international humanitarian law and the relevant Security Council resolutions.

Indeed, the Special Rapporteur of the Human Rights Commission, Professor John Duggard, in his report to the Commission on the situation of human rights in the Palestinian territories occupied by Israel

since 1967, stated, inter alia, the following with regard to the issue of the wall:

> "Like the settlements it seeks to protect, the Wall is manifestly intended to create facts on the ground. It may lack an act of annexation, as occurred in the case of East Jerusalem and the Golan Heights. But its effect is the same: annexation. Annexation of this kind goes by another name in international law — conquest." (*E/CN.4/2004/6, para. 14*)

He goes on to say:

> "The right to self-determination is closely linked to the notion of territorial sovereignty. A people can only exercise the right of self-determination within a territory. The amputation of Palestinian territory by the Wall seriously interferes with the right of self-determination of the Palestinian people as it substantially reduces the size of the self-determination unit (already small) within which that right is to be exercised." (*Ibid., para. 15*)

Israel claims that it is building the expansionist wall as a security measure to prevent suicide bombings. This is not only incredible and illogical, but a repetition of the same lie and pretext that has been used by Israel over the years to commit all of its crimes against the Palestinian people, particularly its campaign of expansionism and settler colonialism.

Israel could build walls along the armistice line and could raise them to 80 metres instead of eight. It is true that this would be a bad thing in terms of coexistence between the two sides, but no one could say it is illegal. Indeed, Israel did that to some extent around the occupied Gaza Strip. If this were now the case with regard to the occupied West Bank and the armistice line, then it would be possible to believe that Israel is actually building the wall as a security measure.

It is imperative to recall in this regard that in the past Israel repeatedly used the same meaningless security pretext before the Security Council to justify its illegal settlement activities throughout the territories it has occupied since 1967.

Indeed, over the years the Council has repeatedly witnessed, as can be seen in the record, the actual colonization of our land while the Israeli side continued to repeat the argument that this was all just "a security measure". The transfer of 400,000 settlers was described before this Council as "a security measure". In reality, the entire issue has revolved around one thing, land, and Israel's plans to illegally expand and conquer more land at the expense of the rights of the Palestinian people.

In the war of 1948, immediately after declaring its existence, Israel conquered almost half the territory allotted by the United Nations to the Arab State when the United Nations partitioned Mandated Palestine in accordance with General Assembly resolution 181 (II) of 29 November 1947, under the pretext that it was attacked by the Arab States. In the war of 1967, Israel occupied the remaining half allotted to the Arab State, which represents less than one-quarter of Mandated Palestine, and has refused to withdraw for more than 36 years.

When the Palestinian leadership made the unparalleled historic concession to accept coexistence between the two States, with Palestine established only on the Palestinian territory occupied since 1967, Israel continued instead to colonize our land and to illegally transfer its nationals to that land.

Even after the start of the Oslo peace process, the occupying Power continued in this regard, actually doubling the number of settlers since then, and it has continued since the launching of the road map.

Israel is doing all of this when it has not even solved the issue of the ownership of land in Israel itself. There are 5.5 million dunums of land privately owned by Palestinian refugees. I speak here specifically about private ownership and not public ownership, all of which was accounted for and documented by the United Nations Conciliation Commission for Palestine (UNCCP), composed of the United States, France and Turkey. In fact the UNCCP record was recently modernized in a way that has made it available for practical use. These 5.5 million dunums constitute almost half of the land of Israel if we exclude the Negev desert.

Apparently, for Israel taking over these lands instead of restoring them to their rightful Palestinian owners was not enough. It has actually moved to colonize the land left to the Palestinian people in the West Bank, including East Jerusalem and the Gaza Strip, once more as part of the biggest war crime of its kind in our contemporary history.

Absolute madness and compounded crimes, the arrogance of power and the absence of morality, have all been sustained by illegitimate protection, by a huge influx of funds and unlimited armaments, all provided by basically one source.

The Security Council clearly bears responsibility for the prevailing situation in the occupied Palestinian territory, including East Jerusalem. In addition, the Security Council, the Middle East region as a whole, and the entire international community are now approaching the moment of truth. Either Israel, the occupying Power, will be allowed to continue all that it has been doing illegally — that is, colonizing our land, conquering it and denying the existence of the State of Palestine, with all the consequent grave results, not least the demise of the two-State solution and the emergence of a more radical solution or the continuation of a perpetual conflict — or Israel is to be stopped. Settlements must be stopped. The wall must be stopped. And both must be reversed. That will rescue the potential for achieving peace and a final settlement based on the existence of two States, Israel and Palestine.

Accordingly, the meeting of the Council and its decision this time have strategic and historic importance. We hope that the Council will rise to the level of this challenge.

The President: I now call on the representative of Israel.

Mr. Gillerman (Israel): Here we go again. In a pattern that is as familiar as it is distasteful, we have gathered for yet another meeting of the Council called to censure Israel for its measures to prevent terrorism, rather than to address the terrorism itself. Members might pause to consider what message is sent to the citizens of the world by this kind of Council activity, especially after hearing from the Palestinian Observer that the biggest war crime carried out in contemporary history is not the murder of innocents, but the defensive measures taken to protect them.

What message is sent by the Council when it convenes to address Israel's measured defensive response against a terrorist training facility, a response in which there were no casualties, but does not convene immediately to address the deliberate murder of 20 innocent civilians at a beachfront restaurant in Haifa on the eve of the holiest day in the Jewish calendar?

What message is sent when the focus of a debate is the building of a security fence by Israel to protect against terrorism, rather than the murder of hundreds of innocent civilians that made its construction inevitable?

It is a message that the victims of terrorism, at least if they are Israeli, cannot seek or find protection in this Council from the rogue regimes that continue to sponsor the deliberate murder of innocent civilians, in violation of international law and the Council's own resolutions. This is the true double standard at the United Nations, and sooner or later it must be addressed.

Many lies and misrepresentations have been made about Israel's security measures, but no lie is so bold and audacious as the one which pretends that Israel's actions occur in a vacuum and are not in response to years and years of terrorism of the most vicious and brutal kind.

The decision to construct a security fence is one which Israel has arrived at with great reluctance. Three main factors have brought us to this conclusion. The single most important factor has been Yassar Arafat and the Palestinian Authority. Israel's policymaking over the past 10 years has been guided by the belief that measures agreed bilaterally by the two sides are preferable to unilateral measures. Indeed, we still believe that today. But 10 years and thousands of victims later, we have painfully come to the realization that wanting someone to be a partner does not make him one. Yasser Arafat has proved beyond a shadow of a doubt that he is incapable, unwilling and uninterested in making peace with Israel. In the choice faced by the Palestinian leadership — namely, between building a partnership with Israel or with Palestinian terrorist groups — the terrorists have won every time.

In choosing terrorists over Israel, and *jihad* over *salam*, Arafat and the Palestinian Authority have flouted numerous Security Council resolutions — including resolutions 1373 (2001) and 1435 (2002) — the provisions of the road map and repeated Palestinian undertakings in our peace agreements. Those documents clearly require that the Palestinian Authority dismantle the terrorist infrastructure, prevent terrorism and incitement, and bring those responsible to justice. Yet, to this day the Palestinian leadership continues to declare, brazenly and publicly, that it has no intention of fulfilling the very first clauses of the

road map, which call, inter alia, for the dismantlement of terrorist capabilities and infrastructure. As we can see almost daily from the headlines, Yasser Arafat continues to prevent the emergence of a Palestinian leadership that will do something other than foment hatred, sponsor terrorism or encourage and tolerate the smuggling of sophisticated weapons into the hands of murderers while using civilians as human shields.

To be sure, along with the continued incitement and the glorification of murder as martyrdom, there are occasional half-hearted condemnations of terrorist atrocities offered by the Palestinian leadership to placate the international community. But those merely condemn terrorism as a tactic, saying that it is against the interests of the Palestinian people. Were terrorism to be an effective tool, those statements imply, it would presumably be acceptable. We have yet to hear from any Palestinian leader the simple moral truth that deliberately killing the innocent is wrong.

For evidence of that duplicity, one need look no further than the fact that the Palestinian Observer at the United Nations occasionally offers muted criticism of terrorism but, at the same time, considers it unacceptable for a Council resolution to expressly condemn the actions of Hamas, Islamic Jihad and the Al-Aqsa Martyrs Brigade and to call for their dismantlement, as required by the road map.

In short, had there been any concerted action by the Palestinian side to confront and prevent the terrorists — as they have repeatedly undertaken to do — the security fence might not have been necessary. But by deciding to remain passive, and even to support terrorism, the current leadership has built that fence with their own hands.

The second factor that has convinced Israelis of the need to construct the fence has been the scarcity of other options. There are no easy choices. In the horrendous situation that we are faced with, in which terrorists are operating with impunity in the heart of civilian centres, there is no perfect way by which we can obstruct the terrorists without having some impact on the lives of the Palestinians they are hiding among. Trying to find the appropriate balance between the right of Israelis to live without being blown up on buses and in restaurants and the right of Palestinians to live and move freely is a dilemma that Israel, its courts and its citizens anguish over daily.

There is no democracy that has found a perfect solution to the problem of terrorism — especially suicide terrorism, which was invented and perfected by the Palestinians — and most especially when it operates from within a society whose leadership is passively and actively supportive of its goals. Among States facing such a threat, Israel has been among the most successful, preventing over 80 per cent of attempted terrorist attacks. But as the terrorists develop new and even more heinous means of murder, so must we devise better methods of prevention.

The construction of a security fence is one of the most effective non-violent methods of preventing the passage of terrorists and their armaments from the terrorist factories in the heart of Palestinian cities to the heart of civilian areas in Israel. We have seen this in the Gaza Strip, where since the construction of a similar fence, under an Israeli-Palestinian agreement of 1994, not a single terrorist has succeeded in penetrating into Israel from Gaza through the fence in order to execute an attack. That fence garnered no dissent from the Security Council or from the Palestinian side, and has in fact contributed to enhancing the personal security and welfare of Israeli and Palestinian communities on both sides of the fence. Until now there has been a stretch of some 300 kilometres across which Palestinian terrorists have been able to infiltrate Israeli population centres to murder civilians. Between Israel and Palestinian Authority areas there is no border or natural obstacle, and the distance dividing terrorists emanating from Palestinian cities and targeted Israeli population centres has sometimes been less than a ten-minute walk. But in those areas of the West Bank where a fence has been constructed, a reduction in terrorist attacks is already evident.

The third factor supporting the construction of the fence has been the knowledge that it will enable Israel to markedly reduce its involvement in the daily lives of Palestinians. The net effect of the construction of the security fence will be a reduction in terrorism and an overall improvement in the quality of life for both the Israeli and the Palestinian peoples. By building the fence, Israel will be able to significantly reduce the presence of its forces in Palestinian areas and further diminish the necessity for defensive action within Palestinian cities. Importantly, the fence will also enable the removal of roadblocks and checkpoints. The result will be greater freedom of movement within the

West Bank without increasing vulnerability to terrorism.

Moreover, it is hoped that the protection and security that the fence provides will help create an atmosphere conducive to peaceful and fruitful negotiations. The security fence is a crucial measure in taking terrorism out of the equation. When a Palestinian leadership emerges that is ready to negotiate a political solution, the terror weapon will be less available to scuttle the efforts for peace. Could it be that those on the Palestinian side opposing the fence wish to ensure that the terrorist weapon remains a decisive factor in their arsenal? Could it be that the fence is particularly objectionable to extremists in Palestinian society because they see it as thwarting their long-term agenda of seeking Israel's destruction?

In determining the route of the fence, Israel has sought to create a barrier between those areas from which the terrorists originate and those that they seek to target. But along with those security concerns, Israel has taken into consideration other humanitarian and environmental concerns, even at the cost of increasing the risks to its civilians. The rights and interests of local populations must be weighed against the rights of civilians to protection from terrorism. Local Palestinian residents have been engaged and consulted throughout that process, with a view to providing individual solutions and ensuring access to schools, health resources and so on.

The use of public and unused lands has been of the highest priority. In the circumstances where that has been impossible, dozens of agricultural gates have been established along the route of the fence to enable farmers to continue cultivating their lands. In addition, new crossing points have been added for Israeli and Palestinian pedestrians and vehicles, as well as for the transfer of goods.

Any private land used in building the fence is requisitioned for military purposes, in full conformity with the relevant provisions of international humanitarian law and local law that specifically provide for that purpose. Indeed, there are a number of precedents in which other States have made this kind of requisition for security purposes, pursuant to the applicable provisions of international humanitarian law. There is no change whatsoever in the legal status of this territory and it remains the property of the owner. Compensation matching the properties' value is provided for the use of the land and any damage to trees and crops. In addition, owners of agricultural land are also provided with compensation for the full value of their crop yield for as long as the property will need to be used. Farmers who cultivate olive and fruit trees growing within the security fence area can designate a new site to which the trees will be replanted.

All residents have the opportunity to submit objections. In numerous cases, the authorities and the complainants have reached mutual agreement regarding alterations of the path. Complainants whose concerns are not resolved also have the unprecedented opportunity to file a petition directly with the Israeli Supreme Court.

In seeking to divert attention from the fact that the true architects of this fence are the Palestinian leaders who have failed to take any measures against terrorism, Palestinian representatives have used a number of emotive and pejorative terms, which are without foundation.

First, they have termed the fence a "wall", even though they are fully aware that for well over 90 per cent of its length it is a chain-link fence. Those short sections that are actually a solid structure are only in areas where Palestinian terrorists can and have shot at Israeli civilians on roads or in nearby towns. Despite blatant misrepresentations to the contrary, there is no enclosure of the West Bank and no Palestinian town or village is closed off. Passage and movement are guaranteed between Palestinian areas throughout the West Bank and into Israel. And, as I have stated, the fence will enable a reduction of Israeli forces in Palestinian areas, thereby facilitating greater freedom of movement within the West Bank and an overall improvement in the humanitarian situation for the vast majority of Palestinian residents, without enhancing the risks of terrorism.

The use of the term "wall" is a transparent attempt by some to evoke memories of darker days, when solid walls were used by certain States to divide one people and prevent the flight to freedom. The comparison is both false and offensive. This fence seeks to separate two peoples who are in conflict, to prevent suicide bombers from targeting innocent civilians and thus to create a terror-free environment in which finally we can move towards a peaceful settlement, which is itself founded on the concept of separation between the Israeli and Palestinian peoples.

Secondly, they have charged that the construction of the fence is racist, though what is really racism is their suggestion that one people does not have the right to protection from murderers. What is really racism is the mistreatment and persecution of Jews in Arab lands, the prohibition of entry imposed upon Jews in certain Arab countries, and the prohibition of the sale of property to Jews on punishment of death. To build a fence in order to provide security for the Jewish and Arab citizens of Israel and ultimately to advance the vision of peace between two peoples, Israeli and Palestinian, is anything but racism.

Thirdly and above all, they have charged that the fence is an act of de facto annexation and an attempt to prejudice final-status negotiations, as though it were Israel and not the Palestinian leadership that walked out of those negotiations and adopted the path of violence. The Israeli Government has repeatedly made clear, and I reiterate again today, that the fence has no political significance. Israel remains committed to resolving all aspects of the conflict, including the final status of the West Bank and Gaza, through political negotiations. The sole purpose of the fence is to protect the vital security of Israeli citizens targeted by Palestinian terrorism. It does not annex territories to the State of Israel nor does it change the status of the land, its ownership or the legal status of the residents of these areas. The Palestinian observer's accusations in this regard are belied by the fact that certain sections of the fence, for example near Modiin and Kibbutz Maale Hachamisha, are actually being built within sovereign Israeli territory.

In fact, not only has Israel repeatedly asserted that there is no political significance to this fence; we have demonstrated in practice and articulated in negotiations that Israel is ready and able, at tremendous cost, to adjust or dismantle a fence if so required as part of a political settlement. In the context of its withdrawal from Southern Lebanon in May 2000, Israel moved a similar structure in order to comply with Security Council resolution 425 (1978). After having adjusted the fence, Israel moved portions of it a further 95 centimetres, at a cost of millions of dollars, to respond to requests by the Secretary-General. Similarly, in the context of permanent-status negotiations, Israel expressed a willingness to adjust the fence established in Gaza as part of the permanent territorial settlement.

In both cases, Israel has proven that security fences are security fences. This fence is intended to counter terrorism of the most brutal kind, not to dictate a border that is and remains the subject of permanent-status negotiations. It is our hope that, by our building this fence, its very function will become irrelevant and that one day it will be dismantled.

It has been suggested that, in order to avoid the impression of having a political motive, Israel should have constructed the fence along the so-called Green Line. On the practical level, a fence along the Line would create far greater humanitarian problems, arbitrarily dividing certain villages and separating others from access to water and other basic services on a large scale. Moreover, it would ignore the aim of the fence, which is to frustrate acts of terrorism directed against Israeli population centres. It is the terrorists who, by their murderous attacks, have dictated the route, which seeks to protect as many civilians as possible while seeking to minimize humanitarian and environmental hardship.

Of equal importance, the so-called Green Line has never represented an international boundary. The 1949 armistice agreements specifically refer to that fact. There was never a recognized and legitimate sovereign in the West Bank. The legal status of these areas remains that of disputed territory to be resolved through negotiations. It is this that is required by Security Council resolutions 242 (1967) and 338 (1973), which call for the parties to start negotiations, inter alia, on secure and recognized boundaries, and agreements reached between the parties specifically refer to the need for there to be direct negotiations to resolve this issue.

When the familiar rhetoric and misrepresentations of the Palestinian observer are peeled away, the simple truth is revealed. The fence is a response to Palestinian terror, designed not to establish a border, but to create a terror-free environment in which a border can be agreed through negotiations. Many Palestinians who oppose the fence simply want to continue killing Israelis. The Israelis who built the fence simply want to live.

Much has been said of the need to conduct the war against terrorism in accordance with international law. We agree, but international law is not a suicide pact. International law recognizes that the measure of the legitimacy of a State's actions is whether such

action is proportionate to the threat. This means assessing the threat according to those attacks planned and prevented, not just those that have succeeded. In Israel's case, this has meant considering not just the hundreds of civilians killed in terrorist attacks, but those many hundreds of attacks successfully thwarted, including mega-terror attacks planned against skyscrapers, gas depots, fuel tankers and bridges.

International humanitarian law specifically allows for territory to be requisitioned for security purposes. Some who speak of international law seem to have forgotten that there is in place a significant body of established laws that provide support for the confrontation against terrorism. They also seem to have forgotten that in fighting terrorists we fight an enemy that has no respect for life or for law. Yes, we must respect the rule of law. But we cannot do so by applying misconceived or blinkered interpretations that no enlightened nation would apply to itself if faced with such sustained attack and that effectively strengthen the hands of those devoted to trampling the law as they trample innocent lives.

Israel has no problem being — indeed, it is proud to be — held to the highest standards. But at least let us be permitted to value the lives of our civilians in the way that any other democratic country would. If the Council decides to call us to account, then surely some of our neighbours should be the focus of equal attention. If the Council were to devote only a fraction of the time and resources it has spent considering Israel's record to a fair examination of the destabilizing and dangerous conduct of the rogue regimes in our neighbourhood, does anyone doubt the conclusions that would be drawn? If the United Nations voice is to be taken seriously, this selective treatment must end.

Israel yearns for peace, and has proved that it is willing to make the most painful compromises to that end. We will continue to pursue every opportunity for a peaceful settlement, with a view to realizing President Bush's vision and the relevant Council resolutions. But no State can allow its citizens to be murdered in the hundreds by terrorists, with the support and tolerance of the current Palestinian leadership, which has virtually ceased to even masquerade as a peace partner. The fence is to protect against terrorism, improve the overall humanitarian situation on both sides and contribute to an atmosphere in which peace negotiations can proceed for the benefit of both peoples.

This conflict, and this debate, is not just about Palestinian rights. It is about Israeli rights as well. Dead, injured and terrorized Israelis are also a humanitarian problem, and until our neighbours and the international community are willing to seriously accept that fact and deal with it, we will have difficulty advancing towards a peaceful solution. It is just not enough for condemnations and expressions of sympathy to be issued in capitals or in United Nations speeches on the day an attack takes place, without the sustained action and public support needed to demonstrate that the international community will not tolerate the deliberate murder of innocent civilians.

Those in the Palestinian leadership that have turned Palestinian victimhood from a condition that could be resolved by peaceful settlement into a political strategy of immortalization in the pursuit of personal power have a great deal to answer for. We do the peace process no service by reinforcing a sense of entitlement without affirming a sense of responsibility.

The road map can never succeed if we absolve the Palestinian side of its obligations to end its morally bankrupt and profoundly destructive terrorist strategy. The security fence, like other Israeli defensive measures, is a product of that strategy. And it is the abandonment of that strategy that would obviate the need for such defence measures, including the security fence itself, and pave the way for peaceful negotiations based on mutual recognition and mutual compromise.

If we confuse cause and effect, if we apply justice selectively, and if we pander to more one-sided initiatives that assert sweeping rights but ignore well-founded responsibilities, we will only encourage a strategy of terrorism and push the day of peace further into the future.

Before concluding, I would like to ask representatives and colleagues to pause for a moment before deciding how to respond to this issue, and think of the lives that can be saved by the security fence, and the lives that could have been saved had it been constructed earlier. I would like them to think of the Almog family — Zeev Almog, aged 71; his wife, Ruth, aged 70; their son, Moshe, aged 43; and their grandsons, Tomer and Asaf, aged nine and 11 — a whole family, three generations, wiped out, all murdered, together with 15 other innocent victims, at the Maxime restaurant in Haifa last week. I put it to them: "Imagine if they were your children, and ask

yourself what would you expect your Government to do to protect them? Would you not do anything — literally anything — to save them?"

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): The Security Council is meeting for the third time in less than a month to discuss the illegal practices of the Israeli occupation. Today, we are discussing in particular the recent decision of the Israeli Government to begin work on the second phase of what it refers to as the separation fence.

We have just listened to the statement of the representative of the Government of occupation and terrorism — the Israeli Government. We were not, of course, surprised that the statement contained many lies and allegations. His comments are only part of a campaign to distort reality and mislead international public opinion — a campaign that has been going on for more than 55 years. The fact that he did not say a word about where the wall is being built is proof that his comments are mere allegations. Incidentally, it is being built on the occupied Palestinian territories — perhaps the representative of Israel is not aware of that fact. He did not say in his statement that Israel has, de facto, annexed land, that the wall has been built on territory that is under dispute, or that that had been done by means of fait accompli and the logic of force alone. What are referred to as the disputed territories are the remains of the Palestinian territories. Israel wants to take control of what is left of the Palestinian territories by using that particular logic.

Those who know Israel are well aware that this method is not unusual. It comes as no surprise to us that the occupation Government, which by law prevents its citizens from learning the truth about its practices in the occupied territories, is attempting to mislead international public opinion concerning its real objectives and true intentions. The current Government is following the notorious method of the infamous Goebbels: lie, lie and lie again, until others come to believe what you are saying. Unfortunately for the rulers of Israel, the world will not continue to believe their lies. One day it will learn the truth — with the exception of a small minority, who at some point in the future will discover that they have been on the wrong side.

Israel's objective in building its racist, expansionist wall, is not, as it claims, to protect its security. Rather, the wall is being built to achieve the following objectives. First, the route traced by the wall is far removed from the borders of the territories occupied since 1967, penetrating deep into Palestinian territories. This reveals the Israeli Government's real intention: to create facts on the ground allowing them to set borders as they wish, thus placing the Palestinian people in large bantustans and isolating them. That would make it impossible to achieve the objective of the peace process with the Palestinians which is: to establish a Palestinian State in the territories occupied since 1967, with East Jerusalem as its capital.

Secondly, by building the wall, Israel is in fact annexing vast expanses of the territories of the West Bank, thus violating one of the foremost principles of international law: the acquisition of others' territory by force is inadmissible. Therefore, Israel's acts violate resolution 242 (1967), which provides the foundation for the Middle East peace process.

Thirdly, the route traced by the wall clearly reveals that Israel aims to consolidate its annexation of occupied Jerusalem, in flagrant violation of resolution 478 (1980), which holds Israel's annexation of eastern Jerusalem to be null and void.

Fourthly, Israel plans to enclose within the wall large settlements established in occupied Palestinian territories, containing more than 200,000 settlers. Thus, Israel is not only violating the Fourth Geneva Convention by building those settlements but goes even further by annexing those settlements to Israel. That was demonstrated very clearly by the Israeli Government's recent decision for the wall to enclose the "Ariel" settlement, which was established 22 kilometres into the occupied Palestinian territories. Those actions are, in fact, war crimes under the Fourth Geneva Convention and its Additional Protocol 1. Therefore, Israel should be deterred from continuing and no legal or political legitimacy should be granted to its actions.

It can be seen from the aforementioned that the present Israeli Government, led by General Sharon, who is well known as an enemy of peace, is merely a war Government aiming to put an end to the peace process and any real chance of implementing it. Israel, which attempts to justify its actions by claiming it is combating terrorism, is in fact perpetrating war crimes and terrorism against the civilian Palestinian population, men, women and children, as they build their expansionist wall as part of their policy of settler

colonialism. Israel is even exporting its crises through aggression against Syria and Lebanon. The campaign against terrorism is greatly harmed by the fact that Israel is exploiting that campaign in order to conceal its objectives and to divert attention from its acts of expansion and aggression. If Israel's killings of dozens of Palestinians in the last two days and the destruction of more than 20 homes — as has been recognized by United Nations agencies — is not terrorism, then what is?

The Security Council, the principal body entrusted with maintaining international peace and security, is called upon to shoulder its responsibilities in the face of Israel's criminal practices. The Council must condemn Israel clearly and unequivocally. It must deter Israel and make it clear to it that its settlements, colonialism, the annexation of the occupied Palestinian territories through the expansionist wall's construction, to consolidate the annexation of occupied East Jerusalem, and its aggressions against Syria and Lebanon are illegitimate acts constituting a flagrant violation of the United Nations Charter and the principles of international law, international humanitarian law and the numerous resolutions adopted by the Security Council, including the resolutions on which the Middle East peace process are founded. The Council's failure to shoulder its responsibility would have a negative impact on its credibility and would further exacerbate the situation in the region, bringing dire and uncontrollable consequences and distancing us from the objectives on which the entire world has agreed: to bring just and comprehensive peace to the region.

Finally, through Syria, the Arab Group has last Friday submitted a balanced draft resolution that took the concerns of the Security Council into consideration and we hope that it will be put to the vote at the conclusion of this open debate.

Sir Emyr Jones Parry (United Kingdom): The United Kingdom is gravely concerned about the prospects for peace in the Middle East. It is vital that both sides realize exactly how much is now at stake. The United Kingdom is committed to the Quartet's road map as the best way ahead to implement the vision of two States, living side by side in peace and security. It is essential that the two sides implement the obligations contained in the road map.

To that end, the United Kingdom supports the Palestinian efforts to form a stable and empowered Government which can be a genuine and unconstrained partner for peace. Prime Minister Qurei is a long-standing supporter of the cause of peace. It is imperative that his new Government acts decisively to tackle the scourge of terrorism, including by unifying control over the Palestinian security apparatus. And in parallel, the domestic reform process must continue. The rest of the world will judge the Palestinian Authority by the results it achieves.

The United Kingdom has consistently condemned the morally repugnant and intolerable suicide bombings that Israel has suffered. We unreservedly condemn the acts perpetrated by Hamas, Palestinian Islamic Jihad and the Al-Aqsa Martyrs Brigade. Their tragic impact has been all too obvious. We recognize, in return, Israel's need to take security measures against the real threat of terrorism which it faces. The United Kingdom Government has always defended Israel's right, acting, consistent with international law, to protect its citizens. But disproportionate use of force by the Israel Defence Forces only fuels the cycle of violence.

At a time when the international consensus on a two-State solution is firm, it is alarming that the practical basis for this is in jeopardy. We are therefore deeply concerned about the route of Israel's fence that is being planned and built inside the occupied territories. Normally, one does not build walls on someone else's land. So, any such wall should be built on the green line or in Israeli territory.

But more important is the impact of the wall. The separation wall undermines the trust between the parties that is necessary for negotiations. It has a negative impact on the daily lives of Palestinians and it calls into question the two-State solution. We are particularly alarmed by Israel's issuing of a military order declaring the land between the fence and the Green Line a closed zone, where Palestinian residents must apply for permits to remain in their own villages.

Facts on the ground created by Israeli settlement activity also threaten the viability of a Palestinian State and make the possibility of a negotiated settlement more difficult to reach. The humanitarian and economic consequences of closures and curfews on the Palestinian people result in hardship and unemployment and only fuel hatred and violence. Palestinian people need to see a real improvement in

their lives on the ground. That is why the United Kingdom believes that the international community has a direct stake in the peace process. A continuing, strong international commitment to the road map-based process is imperative. A strong and determined Quartet can play a vital role, closely following road map implementation through reports of monitors and making an extra effort where it detects problems or deficiencies.

But, ultimately, Israel's security can only be achieved through a just and lasting settlement negotiated between the parties. A Palestinian State will not be created by acts of terrorism. The road map offers the region the best opportunity for peace. In that context, we look to both the Israelis and the Palestinians to move forward in implementing their obligations under the first phase.

The task is to create a virtuous cycle. On the Palestinians' part that means stopping the terrorists and meeting the obligations of the road map, especially in terms of the commitment to tackle the sources of and those perpetrating terrorism. For the Government of Israel, in parallel, it means a move on settlements, the fence, freedom of movement and an end to extrajudicial killings. The United Kingdom, for its part, stands ready to help in that process.

Mr. Arias (Spain) (*spoke in Spanish*): The purpose of this meeting is to examine the seriousness and the implications of the construction by Israel of what is being called the wall.

The search for a solution to the Middle East conflict requires the creation of the requisite climate of trust between the parties, which will enable them to emerge from the spiral of violence. We must state that the construction of the wall in the West Bank does not help create that atmosphere. Indeed, the route of the wall creates problems for the vision of peace between Israelis and Palestinians based on two States living in peace and security. The international community has always called on the parties not to change the situation on the ground. Spain reiterates that.

We also cannot forget the problems created by this measure, adopted by the Government of Israel, in terms of international law and humanitarian law. Regarding the latter point, we must note that this measure and its impact, particularly in terms of complicating land issues, is already directly affecting the Palestinian civilian population and particularly their movement, thus deepening the terrible humanitarian crisis in the Palestinian territories.

My delegation has often spoken against terrorism. It has condemned here the recent attacks on the Israeli population. Nothing justifies, nor can justify, the recent attacks in the area, but that cannot divert us from the basic matter before us today — the construction of the wall in the Palestinian territories — I underscore, in the Palestinian territories — and the confiscation of land or the demolition of houses. Those are all illegal activities. What is worse is that, as I said at the beginning, they are activities that are increasingly harmful to any effort to bring peace to the region.

Mr. Tafrov (Bulgaria) (*spoke in French*): Like other preceding speakers, my delegation is extremely disturbed by the extremely serious situation in the Middle East. Bulgaria agrees with the analysis of the situation, contained in recent documents by the European Union.

We have said here and elsewhere that our country strongly condemns suicide bombings, which continue to be carried out by members of extremist Palestinian organizations. We launch an appeal to the Palestinian Authority to take firm and specific steps to disarm terrorist organizations and to dismantle their structures. We also appeal to Israel to stop resorting to punitive measures, including extrajudicial killings, and to act in keeping with international law.

Bulgaria strongly opposes Israel's construction of what is called a security wall, with a route that is different than the 1949 green line of demarcation. Construction of this wall sometimes involves confiscating Palestinian land, blocks the free movement of people and goods, and undermines the Palestinians' hopes for the peace process and the road map. For Bulgaria, the wall is unacceptable.

Bulgaria is convinced that the road map alone is the answer to the problems of the Middle East. Both parties must do their utmost to overcome their differences, to resume their contacts and to continue joint efforts to create two States living within internationally recognized boundaries, as provided for by Security Council resolutions.

At the same time, we believe that the problem of the construction of the security wall is part of a complex situation related to security.

Therefore, we believe that condemning specific aspects of this overall picture in the Middle East is not able to make a practical contribution to efforts to resume the peace process and implement the road map.

Bulgaria believes that it is necessary for the entire international community, and in particular the members of the Quartet, to convince both parties to implement the road map. At that point, there would no longer be any reason to build the wall, and prospects for a peaceful resolution would increase.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): The Russian leadership is seriously concerned by the course of events in the Middle East. Palestinian-Israeli relations are growing ever more tense. Recently, a real danger of the expansion of the geographic framework of confrontation has emerged, threatening to draw other countries into it. All of this can lead to even more tragic consequences for the already strained circumstances in the region and international security as a whole.

Russia firmly condemns terrorism in all of its forms and manifestations. We call upon the leaders of the Palestinian Authority to make every effort to put an end to terrorist acts against the civilian population of Israel. Terrorism is obstructing a solution to the objective of providing security for Israel and undermining the prospects for the establishment of a Palestinian State.

We are convinced that an important component for the exit strategy from the confrontation is the cessation of unilateral steps by the leadership of Israel. The unlawful settlement activity on the Palestinian territories and the construction of the so-called separation wall, which has resulted in the seizure of Palestinian lands, must be immediately halted. Such actions run counter to the concept of the establishment of two independent States, Palestine and Israel.

Both the Palestinians and the Israelis must reject actions that contradict the spirit and letter of the road map of the Quartet of international mediators. We are all convinced it is precisely this document, adopted by both sides, that is a unique and sole basis for achieving a Middle East settlement. By the way, President Putin brought this matter up today in a telephone conversation with Prime Minister Ariel Sharon.

We believe that if the road map is not made binding in nature, it may remain on paper and the region will ultimately be swept up in a wave of violence. This is why, during the meeting of the Quartet in New York this September, the Minister for Foreign Affairs of Russia, Igor Ivanov, put forward an initiative for the adoption of a special Security Council resolution that would approve the road map. This proposal not only remains valid, it is becoming ever more urgent.

We also believe that it is necessary to establish an international monitoring mechanism to strengthen oversight over the implementation by the parties of their mutual obligations. There is also the need to consider the possibility of holding an international conference on the Middle East, which would make it possible to work out a formula for a comprehensive regional settlement. These Russian proposals have one objective: to stop the spiral of violence and open prospects for peaceful development in the Middle East.

Mr. Aguilar Zinser (Mexico) (*spoke in Spanish*): On other occasions in which the Security Council discussed the issue of Israel and Palestine, my country began its statements with condemnation in the strongest terms of the terrorist attacks that claimed innocent civilian victims in Israel. At this meeting, my delegation regrets that we must begin our statement by also condemning in strong terms the destruction of the Rafah camp in the Gaza Strip by segments of the Israeli armed forces. Israel has no valid justification for making innocent people living in the Palestinian territories victims of their reprisals.

Israel is entitled to demand and have secure borders. It also has the right to take steps to protect its people from terrorist attacks. However, the methods and procedures through which Israel is achieving these legitimate objectives are contrary to international law and therefore illegitimate. They run counter to commitments made by the Israeli authorities, particularly those recently agreed on under the Quartet peace plan, which was supposed to manage efforts to ease tensions in the region. These measures thus contribute to exacerbating the climate of confrontation and the vicious cycle, which adds to the insecurity in Israel.

My country considers that the critical road map published last 30 April is an instrument that should promote the peace process and govern the conduct of both Israel and the Palestinian authorities. This map provides for actions and mutual concessions.

Unfortunately, it does not provide for any machinery to oblige the parties to comply with it.

But one clear obligation on the parties in the peace process is to refrain from building walls that make the life of Palestinians more difficult and make the peace process even more remote. We think that building a separation wall within Palestinian territory is unjustified. Despite the promises that it will be temporary in nature, it is greatly aggravating the high levels of tension in this conflict.

My delegation therefore considers that it is appropriate and timely for the Security Council to express its views on this item through a resolution. The wall repeatedly strays from the demarcation line established after 1948 between the Israeli and Palestinian territories. It has a very serious impact on the residents and their capacity to exercise their basic fundamental rights. Independent non-governmental groups such as Human Rights Watch consider the construction of the wall to be a very significant obstacle to the peace process and an action that aggravates the situation in Palestine and imposes severe restrictions on the exercise of the human rights of Palestinians themselves.

We therefore believe that the State of Israel must halt construction of this wall and avoid any action in Palestinian territory that cannot be justified on the basis of their legitimate right to secure borders or to prevent any terrorist acts on their own territory.

Mr. Maquieira (Chile) (*spoke in Spanish*): The Security Council has been convened to analyse the problem of the construction of the separation wall by the Israelis in Palestinian territory. This is part and parcel of the broader situation in the Middle East, which recently began a new stage with the road map, which seemed to be a means for moving towards peace and reconciliation in the region. However, the implementation of the road map seems to have encountered a crisis; it is made very difficult because of the extrajudicial killings, the destruction of homes, the constant arbitrary restrictions on, and displacement of, the Palestinian population and the recent building of new settlements in territories occupied by Israel.

We have condemned, and continued to condemn, terrorist bomb attacks against Israeli civilians, but nothing can justify the use of excessive force or the imposition of conditions that would seriously hinder the creation of a Palestinian State.

With regard to the matters before us, we would like to see a process that would bring about the minimal conditions for dialogue between the parties, with the cessation of terrorism and violence, a halt to the building of settlements in the occupied territories and the destruction of the separation wall that is being built in Palestinian territory, which divides villages and towns.

We strongly condemn the construction of this security wall — or separation wall. It is an insurmountable obstacle to finding a just and lasting solution to the Israeli-Palestinian problem. It not only flies in the face of what was decided in the road map and in Security Council resolutions, but also flouts the basic principles of international law. It makes it impossible to establish a Palestinian State and throws into serious doubt the seriousness of the negotiation process and any work to bring both States to a life, side by side, within secure and recognized borders.

The Chilean delegation considers that the Security Council must express its views on the situation and make a strong appeal, through a resolution, for the cessation of the building of the separation wall and the dismantling of what has been built thus far. Accordingly, Chile supports the text before us.

Mr. Sow (Guinea) (*spoke in French*): Since our last public debate on the situation in the Middle East, the Israeli-Palestinian crisis has become even more distressing and tragic. The cycle of violence is intensifying and the climate of mutual mistrust seems to dominate the relationship between the parties. This new period, characterized by a heightening of tension, is particularly critical, resulting in a greater deterioration of the situation on the ground and gradually moving the players farther away from the path of peace.

In such a context, the stated will of the Israeli Government to press forward with the building of the separation wall is a source of serious concern for my delegation. There should be no doubt that this illegal measure, taken in the name of security, will reinforce the feelings of frustration and hate of the put-upon Palestinian populations. It inevitably leads to a deepening in the lack of understanding between the two parties and imperils the very core of the peace process, namely, the road map of the Quartet, which has been so

carefully negotiated and whose implementation has barely begun.

Through their dogged insistence on establishing a barrier between populations whom nothing can separate and who are fated by history to live in harmony, the Israeli authorities have chosen the worst security option. Clearly, the separation wall, whose route cuts seriously and deeply into Palestinian territories, is a pernicious way to continue and expand the settlement of occupied territories and to deprive the Palestinian people of a territorial element that is essential to the full exercise of its sovereignty. In addition, it is the expression of a policy known as "bantustanization", whose objective is to create enclaves that are not viable, denying any freedom of movement to the Palestinian people and reserving the most fertile and most productive lands for the occupier.

This enterprise is doomed to failure, being counter to elementary standards of international law, human rights and humanitarian law. It is ultimately aimed at undermining the very basis of the peace process in the Middle East. It runs counter to the vision of two States, Palestinian and Israeli, living side by side within safe and internationally recognized borders. It is one of the most eloquent manifestations of the denial to the Palestinian people of the exercise of their right to full sovereignty within the framework of an independent, free and viable State.

When the continuation of a deliberate policy of settlements is added to this list, my delegation cannot but deplore the fact that the Israeli Government is dragging the Middle East into lasting instability. We accordingly reiterate our unequivocal condemnation of the building of the separation wall, which, contrary to the position taken by Israel, will not satisfy its legitimate need for security, since it can only lead to a deepening of the gulf between Israelis and Palestinians and to the annihilation of the numerous peace efforts.

We therefore once again urge the Israeli authorities to demonstrate common sense by ending this deplorable practice, which can only do their interests a disservice, and to restore to the Palestinian people the territories arbitrarily confiscated from them, thus showing a greater readiness to contribute to a just and lasting solution to the crisis in the Middle East.

The draft resolution introduced by the Arab Group, of which we are sponsors, calling for the dismantling of the separation wall deserves the support of our Council. Its speedy adoption, which we ardently desire, will show the will of the international community to put an end to a policy which runs counter to the objectives laid out by the Quartet's road map.

In conclusion, my delegation recalls that there is only one way to re-establish mutual confidence and dialogue, and once again find the way to peace in the Middle East: clear and binding implementation of the road map, with the firm and determined support of the international community.

Mr. de La Sablière (France) (*spoke in French*): At the outset, I recall that France associates itself with the statement which will be made by the presidency of the European Union.

The building of a separation wall, which deviates from the Green Line and encroaches on the occupied Palestinian territories, together with the continuation of the establishment of settlements in the occupied territories, is an issue of vital importance for the future of the settlement of the Israeli-Palestinian conflict.

What is at stake is historic — nothing less than the possibility of a negotiated settlement on the basis of two States — Israel and a viable Palestinian State — living in peace and security, within secure and recognized borders.

What is at stake is the very idea of a peace process based on the principles enshrined by the international community in resolutions 242 (1967), 338 (1973) and 1397 (2002) — the principle of land for peace, which was given concrete expression in the road map of the Quartet, which was accepted by the two parties at the Aqaba Summit on 4 June last.

With such high stakes, it seems to us legitimate and critical for the international community, through the Security Council, to respond, recall the rule of law, and show the parties the way to be followed.

France has publicly indicated its opposition to the construction of the separation wall following a route that cuts into the occupied Palestinian territories and deviates from the Green Line, as it has indicated its opposition to the settlement activities in the occupied Palestinian territories, and this for at least three reasons.

First, construction of the wall following the route chosen is illegal in terms of international law and cannot be justified in terms of the war on terrorism.

France recognizes Israel's inalienable right to security, its right to self-defence and its right to combat terrorist attacks, which are totally condemnable, morally odious and which no cause can justify. However, the struggle against terrorism cannot justify everything and must be carried out with respect for the law.

What can be criticized from a legal perspective regarding the building of the separation wall is not so much the wall itself as the route chosen by the Israeli Government. That route broadly cuts into the territories occupied in 1967 and opens the way to the confiscation of Palestinian territories, thus contravening international humanitarian law and in particular the Fourth Geneva Convention, as well as the agreements signed between Israelis and Palestinians.

This is all the more true of the second segment of the wall, which is closely following the location of settlements — and in particular of Ariel — which are clearly illegal. The permanent nature of the wall means that the territories between the wall and the Green Line will be de facto incorporated by Israel and under its control.

Moreover, the inadmissible nature of the acquisition of territory by force is a fundamental principle of Security Council resolution 242 (1967), on which the peace process is based.

In East Jerusalem, the construction of the wall calls into question once again a fundamental principle of the peace process, which should allow the city to become the capital of two independent States and which should preserve the specific status of the holy places.

Today the construction of the security wall on the Mount of Olives directly threatens the property and gardens of several charitable religious congregations. I would recall here the importance to France of ensuring free access to the holy sites of Jerusalem and Bethlehem.

Secondly, construction of the wall following the chosen route has inadmissible humanitarian consequences. The wall is a physical barrier which gravely hampers the movement of persons and of goods, separates families and cuts off numerous Palestinians from their agricultural lands, thereby depriving them of their livelihood.

According to various estimates, the lives of more than 200,000 Palestinians will be directly affected by the construction of the wall. Several thousand people will find themselves trapped between the wall and the Green Line. Life in general and the humanitarian situation in the Palestinian territories, which are a source of great concern, can only further deteriorate — let alone the offence to human dignity represented by the creation of a quasi-ghetto, as is the case in Qalqilya.

Thirdly, the construction of the wall runs counter to the road map and is likely seriously to jeopardize the future of the peace process and of a negotiated solution between Israelis and Palestinians, which can be conceived only based on the 1967 borders and a viable Palestinian State.

The construction of the wall directly contravenes the road map, which expressly demands that the Israeli Government not undertake any action that would undermine confidence, in particular the confiscation of Palestinian houses and property.

This will be a permanent structure that will permanently change geographic and demographic data. The building of the wall can only encourage the development of settlements and aggravate the already serious problems that these are causing.

What Israeli leader would dare in future to dismantle the settlements in the interests of a necessary peace with the Palestinians, if they have developed in the shadow of a security barrier? The price of peace for Israel will then be considerably higher.

The planned route, if indeed followed, prejudges the borders of the future Palestinian State. The continued building of a wall of separation following a route that departs from the Green Line would de facto indicate that Israel no longer recognizes resolution 242 (1967) as an essential basis for negotiations with the Palestinians.

There cannot be peace without mutual recognition by each of the parties of their territorial rights. The route also seriously damages the viability of a future Palestinian State, which would be likely to find itself reduced to a collection of isolated enclaves.

What Palestinian leader could make his people agree to peace without the assurance of the creation of an independent and viable State, which is predicated on territorial continuity?

To thus so seriously and permanently jeopardize the opportunity for a negotiated settlement to the conflict is in no one's interest. In such conditions, we believe that it is the responsibility of the Security Council to respond through the adoption of a draft resolution showing its opposition to the building of the wall following the route selected — a route that is illegal in terms of international law and whose humanitarian and political consequences are extremely serious and inadmissible.

Security and peace, moreover, go hand in hand. France reaffirms its conviction that only a just and negotiated solution to the conflict, leading to the end of the occupation of 1967 and to the creation, side by side with Israel, of a viable Palestinian State, will provide Israel that security to which all Israelis have an inalienable right.

It is on this path that the two parties embarked in accepting the road map during the Aqaba Summit on 4 June last. They must stay on this path. France calls on the parties immediately to fulfil their reciprocal and parallel obligations within the framework of the road map. France is convinced that the international community, in particular through the Quartet, has a key role to play to contribute to the advent of peace. We must press on.

The time has come to hold an international conference and to establish in the field a credible third-party monitoring mechanism. There is a need to take risks that will lead to peace in the Middle East; it is our collective duty to act.

Mr. Pleuger (Germany): I wish to thank you, Mr. President, for having convened this important meeting. Given the latest developments in the region, it is my view that it is timely to have an open debate in the Security Council on the situation in the Middle East. I therefore welcome the opportunity to share views on the issue with Council members as well as with all other interested delegations.

I would like to point out that I associate myself with the statement that will be made by the Italian presidency of the European Union at a later stage of the meeting.

Germany deplores the recent surge in violence between Israelis and Palestinians. We must not allow this bloodshed to undermine the implementation of the road map, which we still consider to be the relevant document for a just and lasting peace in the region.

We call upon both the Israeli and Palestinian Governments to refrain from any action that might endanger the two-State solution, as laid out in the road map.

Thus Germany urges the Government of Israel to halt its continuing settlement activities and stop the construction of the so-called security fence. While recognizing Israel's need for security, we consider the security fence to be detrimental to the implementation of the road map. We believe that the fence might become an obstacle to the peaceful resolution of the conflict and the establishment of a viable Palestinian state, living alongside Israel in peace and security. The path of the Israeli fence departs from the Green Line, cutting deep into Palestinian land, sometimes on the basis of the confiscation of land. All of that entails serious humanitarian and economic consequences for the Palestinian population.

At the same time, we urge the Palestinian Authority to take all necessary measures to end violence and terror by militant groups against Israeli targets. The suicide bombing in Haifa, which took the lives of many innocent civilians, has shown that the Palestinian leadership must do its utmost to prevent such atrocities. Germany calls on the new emergency cabinet of Prime Minister Ahmed Qureia to crack down on violent groups and to dismantle the terrorist infrastructure.

The members of the Quartet continue to back the road map for peace as accepted by both sides at the Aqaba summit, held on 4 June 2003. We call upon both the Israeli and Palestinian Governments to continue to implement the road map in good faith, because we feel there is no alternative to the road map as the way to peace.

Mr. Wang Guangya (China) (*spoke in Chinese*): The Chinese delegation supports the Arab Group's request to hold an emergency Security Council meeting. Like the majority of countries, we strongly deplore the fact that the Israeli Government has decided to continue to build a separation wall and expand settlements. Israel's actions are not acceptable. As an occupying Power, Israel must abide strictly by

international law, including the Fourth Geneva Convention.

The root cause of the situation in the Middle East is Israel's occupation of Arab lands. Israel's building of a separation wall, in violation of international law, will not bring true security for Israel; it will only lead to more violence and hamper efforts aimed at achieving peace between Israelis and Palestinians.

The current situation in the Middle East is deeply troubling. The peace process is once again at a crossroads. The question of how we can break out of this impasse deserves our serious consideration. The urgent task at hand is to break, as soon as possible, the vicious circle of using violence against violence, and both the Israelis and the Palestinians must make efforts to that end. Israel must stop building the separation wall and stop expanding settlements; end its policy of targeted killings; stop its sieges and blockades against Palestinians; respect the Palestinian people's basic rights; and take measures to improve the humanitarian situation of the Palestinians.

The Palestinians must also take effective measures. They must halt suicide bombings against civilians. Suicide bombings do not help the Palestinian people's just cause of recovering their occupied lands and establishing an independent State as soon as possible.

The history of the situation in the Middle East demonstrates that using violence against violence is not the way out; hope lies only in dialogue and negotiations. We hope that both Palestinians and Israelis will face reality and consider their long-term interests and the bigger picture. They must take bold steps to create conditions for a return to negotiations and for continued implementation of the road map.

In order to break the vicious circle of using violence against violence, the Quartet must shoulder its responsibilities. At the same time, the rest of the international community must employ creative efforts. In the general debate at the current session of the General Assembly, a number of countries have proposed the deployment of an international protection force between the Israelis and the Palestinians, other countries suggested that the Security Council dispatch a fact-finding mission; and still others advocated the holding of an international conference on the situation in the Middle East. All those suggestions deserve our serious consideration. The United Nations can and must play a greater role in helping the Israelis and the Palestinians to achieve peace.

China, as a permanent member of the Security Council, is willing to join the rest of the international community in helping to promote the process aimed at a peaceful settlement of the situation in the Middle East.

Mr. Gaspar Martins (Angola): I should like to thank you, Mr. President, for convening this Security Council meeting at the request of the Arab Group. The situation on the ground clearly justifies this meeting. The issue under consideration is certainly one of the most sensitive that the international community is called upon to consider and take a stand on.

My country has always maintained good, friendly relations with the Arab world, based on the principles of solidarity and mutual understanding. We have also expressed our support for the Palestinian people and have consistently reaffirmed their inalienable right to self-determination and statehood. On the other hand, my country, the Republic of Angola, has established good, friendly relations with the State of Israel — relations that we hope to see strengthened and made mutually advantageous to our countries and peoples.

It is therefore with a sense of profound grief that we witness the ongoing conflict between two peoples who have made outstanding contributions to the world's civilization. The issue is where, when and how to break this fatal linkage, the cause of daily loss of life and untold suffering for both peoples. On the ground, we witness a state of affairs that is absolutely contrary to the wishes of the international community and of all those who strive to bring about a new era in Israeli-Palestinian relations.

To us, the separation wall seems the most conspicuous initiative in such a state of affairs, an initiative likely to jeopardize all the efforts by the international community with a view to settling the Israeli-Palestinian conflict and bringing a just and lasting peace to the region. In the long run, the wall — like identical ones built in the past to divide peoples — is doomed to fail and to fall.

The building of the wall in the West Bank has translated into a state of fear that assuredly will not lead to positive results. Fear is always a very nasty adviser, and it is an artificial solution to the problems Israel faces. Instead of solving the problems it was

intended to solve, the wall will only create new, unresolved ones. The separation wall is doomed to create a situation that will definitely jeopardize all prospects for peace as well as the vision, so eloquently spelled out, of two peoples and countries living side by side in peace and security. We deem it essential that Israel be persuaded that its security will be better ensured in the long run by genuine gestures of peace than by walls of separation.

The last meeting of the Quartet, held in New York on 26 September, was very clear on its position. While recognizing Israel's legitimate right to self-defense, it called on Israel to put an end to the collective punishment of the Palestinian population while noting with great concern, the building of Israel's West Bank fence, a real euphemism for the separation wall we are discussing.

The Quartet recalled its direct consequences on the daily lives of the Palestinian people, and how it undermines the Palestinians' trust in the road map process, by prejudging the final borders of a future Palestinian State.

We fully agree with the Quartet's position and call on the parties to abide by its provisions in order to put the peace process back on track. We must encourage the parties to give peace a chance.

To conclude, we took note of the draft resolution tabled by the other group. The principles outlined in the draft are universally accepted principles of international law, such as the inadmissibility of the acquisition of territory by force. The building of the separation wall stands as a clear violation of such a principle; therefore, we cannot but accept the reason why such a resolution has been tabled.

We agree with the need to end the occupation of the Palestinian territories, for which the construction of a wall of separation is yet another act which further aggravates the spiral of violence prevailing in the region. We would therefore like to appeal to the parties to consider the positions which have been followed until now and to give peace a chance. Through this resolution, our Council will be sending a clear signal to the parties and to the region.

Mr. Akram (Pakistan): We have returned to this Chamber once again to discuss a specific and grave aspect of the disturbing situation in the Middle East. Pakistan believes that the construction of the separation wall in the occupied Palestinian territories is illegal. It entails enormous humanitarian suffering for the affected Palestinian people and seriously undermines the prospects for a just and lasting solution to the Israeli-Palestinian dispute.

A fundamental principle of international law flowing from the United Nations Charter is the illegality of the acquisition of territory by the use of force. Security Council resolutions 242 (1967) and resolution 338 (1973), and all subsequent international agreements on the Middle East, have been based on this principle and require Israel's withdrawal from Arab-occupied territories.

The Quartet's peace plan is also based on the principle of Israeli-withdrawal from occupied Palestinian territories, in exchange for the establishment of a durable peace.

The separation wall being built in the occupied Palestinian territory, in effect, incorporates substantial areas of the occupied West Bank into Israel. The wall does not follow the Green Line. There is a contention that the wall is a temporary measure being constructed to enhance security for Israel against terrorism. This is not a tenable argument. There would be no terrorism if there were no foreign occupation. The objective we fear is indeed to pre-empt a solution of the Middle East conflict on the basis of the principle of land for peace.

The Special Rapporteur of the Commission on Human Rights, John Dugard, in his 30 September 2003 report to the Commission on the situation of human rights in the Palestinian territories occupied by Israel since 1967 states:

> "The wall has all the features of a permanent structure. The fact that it will incorporate half of the settler population in the West Bank and East Jerusalem suggests that it is designed to further entrench the position of the settlers. The evidence strongly suggests that Israel is determined to create facts on the ground amounting to de facto annexation. Annexation of this kind, known as conquest in international law, is prohibited by the Charter of the United Nations and the Fourth Geneva Convention." (*E/CN.4/2004/6*)

Article 47 of the Fourth Geneva Convention clearly stipulates:

> "Protected persons who are in occupied territory shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention by any change introduced as a result of the occupation of a territory ...."

The 1995 Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip states that neither party will "change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations" and that the integrity and status of the West Bank and Gaza Strip territory "will be preserved during the interim period". (*Article XXXI, final clauses 7 and 8*)

Apart from being illegal from the perspective of these international and bilateral legal instruments, the separation wall is inconsistent with Israel's commitment under the road map.

The road map obligates the Government of Israel to immediately dismantle settlement outposts erected since March 2001 and "Consistent with the Mitchell report ... freezes all settlement activity (including natural growth of settlements)". This commitment is both clear and non-negotiable. The wall spurs, not stems the growth of settlements and outposts.

The separation wall will bring enormous suffering to the Palestinian people living in the West Bank. The special rapporteur has calculated that more than 210,000 Palestinians will be seriously affected by the wall. According to him,

> "Palestinians living between the wall and the Green Line will be effectively cut off from their farmlands and workplaces, schools, health clinics and other social services. This is likely to lead to a new generation of refugees or internally displaced persons." (*E/CN.4/2004/6*)

There is little doubt that the wall separates the Palestinians from their own cities and resources. It isolates, fragments and in some cases impoverishes those affected by its construction. In order to obtain the land on which the wall is being constructed in the West Bank, private Palestinian property has been requisitioned pursuant to military orders. This is in flagrant violation of humanitarian as well as human rights law.

Politically, the wall will pose yet another and probably the most daunting challenge to the implementation of the Quartet's road map. The Secretary-General recently described the separation wall and the settlements as "serious obstacles to the achievement of the two-State solution." (*SG/SM/8913*)

In Security Council consultations, some members earlier have cautioned that construction of the wall amounted to pre-empting the final settlement agreement under the road map and creation of realities on the ground. We agree with this assessment.

A viable Palestinian State, as envisaged in the Quartet's road map, cannot be established in the bantustans that will be created by the separation wall. The peace which Israel seeks will not result from the continuing illegal occupation and suppression of a Palestinian population in these lands which is hostile and aggrieved.

It is imperative to recognize that the separation wall is an unlawful annexation of occupied Palestinian territory. It must be declared illegal by the Security Council, and the Government of Israel must be asked to cease, and reverse, its construction. We do not believe that terrorism is an excuse for the construction of that wall; certainly, it will not stop State terrorism against the Palestinian people.

The security situation in the Holy Land is grave and threatening. It warrants immediate attention and urgent action by the international community, and especially by the Security Council. The taboo of terrorism should not be misused to circumvent the peace process. The peace process, which we have all supported, must be rescued. The parties must be brought back to full and faithful implementation of their commitments under the road map, which should lead to the realization of our vision of two States, with Israel and Palestine living side by side in peace and security within recognized borders.

Mr. Belinga-Eboutou (Cameroon) (*spoke in French*): We are once again gathered in an open meeting — just a few days after the Quartet's 26 September meeting and the Security Council's own meeting of 5 October — to address the subject of the Middle East. The General Assembly also discussed this question in depth during the course of its general debate. On all those occasions the people of the United Nations and people of good will have called upon the parties to the conflict and the mediators to resume the road map initiative and to define together future stages for its implementation. Everyone has reaffirmed strong support for that initiative, whose goal is to find a

lasting settlement to the conflict between now and 2005.

Is it necessary to recall that the road map is based, first of all, on the idea of two States — Israel and Palestine — living side by side in peace and within secure and recognized borders? Similarly, need one recall that the parties to the conflict each entered into commitments contained in the road map to reach that goal? For its part, Cameroon has repeatedly called upon the parties to refrain from any actions that could compromise peace. Bearing all that in mind, we wonder whether the attacks, targeted raids, destruction of houses and goods, continued construction of the wall in the West Bank and the ongoing building of new settlements do not indeed impede the peace process we have sought, and which we continue to seek.

A few days ago, on 2 October, the Secretary-General expressed his own deep concern about the Israeli Government's decision to continue to build that wall deep in the territory of the West Bank. According to a statement by the Quartet on 26 September, the Secretary-General considered the separation wall and the settlements on Palestinian territory to pose a serious obstacle to reaching a two-State solution. Other members of the Quartet also share that vision, and have so indicated on several occasions. We have always condemned violence whatever its source. We have always recognized and defended Israel's right to ensure its security within the context of norms that are in keeping with international law, in general, and within the context of its respect for its own commitments under the road map, in particular.

It goes without saying that Israelis and Palestinians will be unable to achieve peace in an atmosphere of mutual defiance. In order to remove that mutual defiance, the parties must promote true disarmament: disarmament in terms of weapons policy, but also, and above all, psychological and cultural disarmament. They must do so by casting war psychosis and fear of the other from their hearts. There is no doubt that such disarmament will take time. If the protagonists themselves make good use of time — the present and the future — to shape future generations into a culture of peace, then we can hope for better prospects for the Holy Land, a land of peace, and for the Middle East as a whole.

It is true, nevertheless, that the long history of conflict has demonstrated that without the international community's involvement, the disarmament I mentioned will continue to be a very distant prospect. We therefore once again call upon the international community, and in particular upon the Quartet, to take bold and simultaneous steps, as opposed to incremental ones, in order to create the conditions necessary to ensure that peace prevails in the region.

The President: I would now like to make a statement in my capacity as the representative of the United States.

The United States has engaged intensively to encourage Israel and the Palestinian Authority to take concrete steps towards the implementation of a road map to peace that has broad support within the international community and the United Nations. We are not as far along in that process as we had hoped, largely due to the destructive impact of terrorist bombings and the failure to dismantle the organizations and infrastructure that encourage those acts.

Just 10 days ago, a suicide bomber killed 20 innocent people in Haifa. The Palestinian Islamic Jihad took responsibility for that attack. Terrorist groups such as Islamic Jihad, Hamas and the Al-Aqsa Martyrs Brigade prevent peace and highjack any prospect for real dialogue. We have noted repeatedly that Israel has the right to defend itself against those insidious attacks.

In our view, all parties have responsibilities to bring peace to the Middle East. Ending terrorism must be the highest priority. Any resolution concerning the Middle East must take into account the larger picture — that of the current security situation, including the devastating suicide attacks that Israelis have had to endure over the last three years. That is the broader context of the debate we are holding today.

The United States views on the construction of the Israeli fence have been clear. As National Security Adviser Condoleezza Rice said recently,

> "This wall is not really consistent with our view of what the Middle East will one day have to look like: two States living side by side in peace. We understand the Israelis have security concerns. It is extremely important, if it is going to be built, that it not intrude on the lives of Palestinians and, most importantly, that it not look as if it is trying to prejudge the outcome of a peace agreement."

We have urged Israel to consider carefully the consequences of its actions. In addition, senior United

States Administration officials are engaging directly with Israel on the matter of the fence. We do not believe that a Security Council resolution focused on the fence furthers the goals of peace and security in the region. We also urge both parties to avoid actions that exacerbate the situation.

For its part, the United States, along with Quartet partners, will continue to work towards the implementation of President Bush's vision of a two-State solution to the Israeli-Palestinian conflict, as set forth in the road map. Our diplomatic personnel — including Secretary of State Powell, Ambassador John Wolfe and our missions in the region — are actively involved with both parties at the highest levels. We remain committed to the road map as the way forward towards the overarching goal of the Israeli and Palestinian peoples living side by side in peace and security.

I shall now resume my function as President of the Council.

The next speaker inscribed on my list is the Permanent Observer of the League of Arab States, to whom I give the floor.

Mr. Mahmassani (League of Arab States) (*spoke in Arabic*): Allow me to commend the excellent manner and wisdom with which you, Sir, are leading the work of the Security Council.

The Security Council is meeting today to consider Israel's settler policies and construction of the separation wall in the occupied Palestinian territories, which threaten regional and international peace and security and hinder the establishment of a just and comprehensive peace in the Middle East. Israel is building an electrified, electronically monitored separation wall — a system that is more than 500 kilometres long, averages 60 metres wide and is as high as eight metres in some places — under the pretext of the security situation. This is one further link in Israel's chain of systematically devouring, confiscating and annexing Palestinian territories.

The danger in all this is that the expansionist wall does not follow the Green Line that has separated Israel and the Palestinian territories since 1967, but cuts deep into Palestinian territories, annexing — according to a World Bank study — approximately 12 per cent of the West Bank. Other studies assess the area at 23.4 per cent of the West Bank. The erection of this wall near the western borders of the West Bank is just the beginning. Another wall will go up in the East to encompass the Jordan Valley area, constituting 21.9 per cent of the West Bank. This means that Israel's plans currently include the annexation of 45.3 per cent of the West Bank.

The economic repercussions of the construction of the wall include the almost total destruction of the Palestinian economy; the isolation of the Palestinian people in encircled islands; the blockade of 210,000 Palestinians within the Green Line; and the creation of a new generation of refugees and of further suffering for the Palestinian people. The real purpose of the wall is expansion, the establishment of new settlements and the entrenchment of 230,000 Israeli settlers on Palestinian territory.

The building of this Israeli expansionist wall within Palestinian territory is a flagrant violation of the United Nations Charter, the Fourth Geneva Convention and international humanitarian law, and a perpetuation of the Israeli Government's immoral actions. Israel may build walls on its own territory, but has no right to build them inside Palestinian territory. That is simply unacceptable.

The ongoing construction of the wall is a direct threat to the future establishment of an independent Palestinian entity and to the vision of a Palestinian State living side by side with Israel. It also destroys any hope for a just and lasting peace in the Middle East. There is a consensus within the international community, including in the declared positions of the members of the Security Council and the Secretary-General, that the wall obstructs and undermines the peace process and that it should be dismantled immediately.

Despite all the international protestations against and objections to the construction of the wall, Israel pursues its policies of occupation and the building of settlements by force in Arab territories. This expansionist wall is a bypass road that extends towards Arab villages and cities and is intended to strangle and eradicate the Palestinian people politically, economically and socially and to transform the rest of the Palestinian territories into a non-viable Palestinian ghetto. This will simply increase poverty and despair.

The essence of the Israeli-Arab conflict is the ongoing Israeli occupation of Arab territories. Israel's attempt to divert attention by placing the conflict in the

context of the fight against terrorism is naive, ridiculous, futile and will fool no one. Israeli occupation is the problem. Israel's current military option of imposing the logic of force on the Arab-Israeli conflict has proven the futility of its policy and has led only to further deterioration and to more death and destruction. The pursuit of that policy, including the opening of new fronts, will push the region to the very brink of war, with all its perilous consequences for international peace and security.

We call on the Security Council today to take a firm stand by compelling Israel to dismantle the wall, end its policies of occupation, renounce the military option and resume negotiations, which alone can lead to the establishment of a just and comprehensive peace in the Middle East, in conformity with the resolutions of international legitimacy, the Arab peace initiative and the principle of land for peace.

The President: I now call on the Ambassador of Malaysia.

Mr. Rastam (Malaysia): On behalf of the Non-Aligned Movement, I wish to express our sincere appreciation to you, Sir, and to the members of the Security Council for convening this open meeting to allow the larger membership of the United Nations to express once again their views on the question of Palestine.

This meeting is focused in particular on the construction of the expansionist Israeli wall in the occupied Palestinian territory. This is a matter of grave concern to all members of the Movement and should also be of grave concern to the international community as a whole.

The Non-Aligned Movement expresses once again its grave concern at the further deterioration of the situation in the occupied Palestinian territory, including East Jerusalem. We condemn the continuing and escalating Israeli military campaign against the Palestinian people, in particular the wilful killing of civilians and including extrajudicial executions, the demolition of homes, paralysing closures, the excessive and indiscriminate use of force, and continuing settler colonial activities.

Much as we condemn the deadly suicide bombings against innocent Israeli civilians, we reiterate that the Israeli Government must exercise restraint. It must act in accordance with international law. It must act rationally. The disproportionate use of force against the Palestinian people and the implementation and enforcement of severe policies and practices in furtherance of occupation by the Israeli Government will not guarantee enhanced security for the people of Israel. On the contrary, such actions by Israel have provoked violent retaliation from Palestinian militant groups. Clearly, both sides are now locked in a continuing cycle of violence, which makes it all the more difficult to move forward to achieve a peaceful solution.

The Non-Aligned Movement is extremely concerned about the implications and long-term effect of Israel's continued settlement policies and the construction of the wall in the occupied Palestinian territory. We were dismayed to learn about Israel's recent announcement of its intention to build about 600 homes in three large West Bank settlements. Israel has obviously chosen to ignore the numerous calls made by the international community for it to cease settlement activities in the occupied Palestinian territory.

The total number of settlers has reached more than 230,000. This is double the total a decade ago. Palestinian lands are being confiscated to make way for illegal settlements and bypass roads for them. Barriers are being built to protect such illegal settlements. Effluent from those settlements has caused the destruction of Palestinian farmland. Israeli soldiers are deployed to protect the settlers. Those facts are there for all to see. One needs only to look at the present-day map of the occupied Palestinian territory to know how many settlements have been built. How could the international community ignore those facts? It is clear that Israel's settler colonialism activities impact gravely on the Palestinian people. This policy cannot remain unchallenged by the international community.

We stress that the implantation of Israeli colonies in East Jerusalem, the West Bank and Gaza is in violation of international law, in particular the Fourth Geneva Convention. The Israeli Government and others must surely realize that settler colonialism has become the primary obstacle to Palestinian self-determination. It remains a major impediment to progress in the peace process. We strongly urge Israel to dismantle the settlements and freeze all settlement activity, as envisaged by the road map.

With regard to the separation wall, we believe that its construction is severely jeopardizing the

creation of a viable contiguous Palestinian State and the realization of the two-State solution. The Israeli Government says that the wall is necessary to protect Israel from terrorists. But the plans for the wall, and the actual construction itself, indicate that it is more than just a security wall. It appears to be a devious way to create new facts on the ground and impose a unilateral solution which would prejudge the outcome of future negotiations on the boundaries of the two States, Israel and Palestine.

According to available information, the wall could extend for up to 650 kilometres, be eight metres high, and have a concrete base, as well as watch towers every 200 metres. The wall is to have trenches, roads and fences running parallel to it. For this purpose, hundreds of thousands of dunums of Palestinian land, including prime agricultural land, have been, and will be, confiscated by Israel and turned into what would practically be no-man's-land adjacent to the wall. The Palestinian town of Qalqilya is effectively surrounded by walls on almost all sides, virtually imprisoning 41,600 of its people. The wall is not just a problem; it will be a major obstacle to peace.

We note with grave concern that the wall is not being built in accordance with the internationally recognized boundary of the Armistice Line of 1949. Large portions of the wall are being constructed deep into occupied Palestinian territory, separating Palestinians from their agricultural land and water resources. The wall is designed to engulf settlements. Besides the massive confiscation of fertile Palestinian land, valuable subterranean water reservoirs have also been annexed.

In his report on the situation of human rights in the occupied Palestinian territories, the Special Rapporteur of the United Nations Commission on Human Rights estimated that the wall would cut off about 210,000 Palestinians from social services, schools and places of work. He has also stated that it would likely lead to a new generation of refugees or internally displaced persons. The wall would also isolate the primary resources of the West Bank on which the future Palestinian State would depend. This, indeed, should be alarming to the international community, Israel included. Could the world allow this to happen? Could we seriously allow an already deprived population to be subjected to such degrading and inhumane treatment on their own land?

We believe that the crisis caused by occupation and settlement is more pronounced and desperate now than ever before. It deserves immediate action on the part of the Security Council. The world cannot afford to allow Israel to boldly press on with its settler colonialism activities and — more imperatively as a matter of greater urgency — its ongoing and future construction of the expansionist wall. Israel must be prevented from using security as a pretext to annex Palestinian territory.

The extensive impact of the wall demands the immediate action of the Security Council, particularly those members with the power to influence Israel. We urge them to undertake serious efforts to prevent the wall from being used as a means to annex Palestinian lands and effectively prevent the creation of a Palestinian State. The wall must not be allowed to be used as a tool to further suppress the already downtrodden Palestinian people. We call on the Security Council to act decisively by adopting a resolution calling for the destruction of the wall and preventing its completion. Pressure must be brought to bear on Israel to comply with the demands of the international community in respect of this wall.

The President: The next speaker inscribed on my list is the representative of the Islamic Republic of Iran, to whom I give the floor.

Mr. Fadaifard (Islamic Republic of Iran): I would like to begin by thanking you, Mr. President, for having convened this public meeting on the grave and deteriorating situation in the Palestinian territory.

The separation wall, which is being built by the Israeli regime deep in the occupied West Bank, marks the beginning of a new phase in the plight of the Palestinian people. It is fast becoming a new, major source of injustice for the Palestinians and of tension in the Middle East. The wall is a new means of achieving the Israeli goal of depriving the Palestinians of their inherent national rights. As such, it is having serious impact on all aspects of the Palestinian question.

What we are currently witnessing in the West Bank is a manifest and clear act of territorial annexation under the guise of security. The construction of the separation wall means the confiscation of more Palestinian land, the demolition of more Palestinian houses and businesses, the ruin of more Palestinian lives and the further degradation of the environment. When completed, the separation wall

will stretch for hundreds of kilometres, with wide buffer zones, trenches, barbed wire, an electric fence, a two-lane patrol road and no-go areas 70 to 100 metres wide. And that is what the Israelis deceitfully call simply a fence.

Palestinians between the wall and the Armistice Line will effectively be cut off from their farmland, workplaces, schools and health clinics. The wall will cause direct harm to hundreds of thousands of Palestinians living in dozens of villages and towns. It will result in the confiscation of parts of the West Bank and of a percentage of its inhabitants, leaving the rest prisoners in cantons, which are merely open prisons. There are serious fears that the Palestinians caught between the wall and the armistice line will find life so unbearable that they will move to what remains of the West Bank on the eastern side of the wall, thereby creating a new generation of refugees.

Moreover, the wall is to complement the expansionist policy of settlement building. The illegal settlements in the West Bank, built against the will of the international community, will be the principal beneficiaries of the wall. Likewise, the illegal Jewish settlements are expanding in parallel to the completion of the racist wall. Recent press reports indicate that Israel is building hundreds of new homes in the West Bank, further undermining and discrediting the road map and the efforts of its sponsors.

The decision on the wall and new settlement units is further proof that the Israeli regime has never been serious about peace, and that its goal is to draw arbitrary borders and to sabotage the possibilities of establishing a viable Palestinian State. Israel's desire to stick to completion of the racist wall, coupled with its policy of settlement expansion, seeks to ensure in advance the defeat of any efforts aimed at enabling the Palestinians one day to have a viable State.

Given the magnitude of the injustice of the separation wall for the Palestinians, at a time when other aspects of the oppressive Israeli policy continue unabated, the consequences of building the wall would be enormous for them and the whole region. That would make the Palestinians more disappointed with international efforts, a prospect that would lead to a further deterioration of the situation in the occupied territory. However, nobody should assume that the consequences of such a project will be felt by the Palestinians alone. Undoubtedly, the deterioration of the situation in the Palestinian areas would, in turn, further worsen the situation in the whole Middle East, which is already in turmoil and suffers from, among other things, the consequences of the adventures in Iraq.

Conquest, or the acquisition of territory by force, has been outlawed by the prohibition on the use of force contained in the Charter. Several Security Council resolutions reaffirm that prohibition, and state that the status of the West Bank and Gaza must not be altered by the occupier. Likewise, the Fourth Geneva Convention prohibits the alteration and annexation of occupied territories.

Thus, given the enormity of what is at stake and the international consensus on the need to stop the unlawful construction of the wall in the West Bank, it is incumbent upon the Security Council to live up to the expectations of the international community and take the necessary action with a view to upholding international law. In particular, the time has come for the Security Council to demand that the separation wall be stopped and reversed.

The President: The next speaker on my list is the representative of Yemen.

Mr. Alsaidi (Yemen) (*spoke in Arabic*): Once again, within the space of a week, the Security Council is meeting to consider another issue and another obstacle to achieving peace in the Middle East, a peace we thought was close. Today, the Security Council is considering the issue of the expansionist wall, which marks a new phase in the ongoing series of Israeli acts of aggression and Israel's attempts to avoid implementing the road map.

The issue of the Israeli-Arab conflict has indeed become an ongoing concern of the Organization. Many people consider it to have affected the credibility of the Security Council, given the Council's inability to deal with the issue effectively and resolutely. The Security Council and the other relevant United Nations bodies have studied the various aspects of this question in the past and present. Therefore, there is no need to go over the issue now.

However, it is extremely important to recall that the Government in Tel Aviv is justifying its policy of aggression today — as it has always done — with the pretext of defending Israel's borders and the security of its people. Israel's frenzied building of the expansionist

wall reveals how false those security arguments and peace requirements are. The facts on the ground unequivocally demonstrate, among other things, that for practical purposes the building of the wall in the occupied territories means the annexation of further Palestinian territory in the West Bank to Israel, land which is added to the other land annexed by the Jewish State since the decision to partition the territory in 1947.

Moreover, building the wall will destroy the Palestinian entity and its ability to survive, which is dependent on Israel's good will. Everyone is aware that Israel's ultimate objective in building the wall has nothing to do with its security. It is really an attempt to create facts on the ground that will have a direct impact on the nature and contents of any lasting settlement in the future.

We should question the reality of the objectives alleged by Mr. Sharon's Government. That Government continues to work to found further colonial settlements in the occupied Palestinian territories, including in East Jerusalem. Israel also continues to kill Palestinian leaders even while the Palestinian side has complied with the ceasefire agreed upon by the two parties.

In that context, we need to question the continuation by Mr. Sharon's Government of its aggressive policies and its frenzied efforts to build the expansionist wall at a time when Mr. Sharon is declaring that he is working for peace and that he hopes to coexist with his Palestinian neighbours once Israel's security is ensured. Do Mr. Sharon's actions lead towards peace? We think the contrary is true. If Israel truly aspires to peace, the path to peace does not lie in confiscating lands to establish settlements, sowing hate and discord, demolishing homes, uprooting trees, imposing one's will on the occupied Arab and Palestinian territories or building the expansionist wall deep within the occupied Palestinian territories, straying far from the Green Line, namely the 1967 borders.

We believe that genuine security is based on mutual trust and respect and the recognition of the legitimate rights of all. It is also based on respect for international borders. History has shown us that peace does not last if it is imposed by force. It is true that, in today's globalized world, there is no room for entities that build walls, barriers and other obstacles, rather than exchange viewpoints and interests, and that do not respect dialogue, openness and the requirements of humanistic cultural interaction.

For more than four decades, we have been urging the Security Council to call upon and pressure Israel to cease its expansionist and aggressive practices. But we have now realized that those appeals have been futile and that the Security Council must adopt a resolution to be implemented to force Israel to immediately halt the construction of the wall on occupied Palestinian territory and far from the Green Line, and to strictly respect its commitments, in keeping with international law and norms and with the Fourth Geneva Convention.

The President: I now call on the representative of Egypt.

Mr. Aboul Gheit (Egypt) (*spoke in Arabic*): I am convinced, Mr. President, that you, all the participants in this discussion, and all the other members of the international community, can grasp the dangers inherent in the situation in the Middle East today. We all believe that those dangers are a result of the stalemate in the peace process.

Some basic elements should be addressed; if they persist, these will lead to further deterioration of the situation, with consequences that, hopefully, the region will not have to experience.

First, it would be indeed dangerous if the international community, represented by the Security Council, did not deal with Israel's attempts to widen the circle of current tension between the Palestinians and Israel, turning it into a broader conflict. Those attempts include the Israeli aerial attack against Syrian territory, which was condemned by Egypt.

Secondly, the behaviour of the Israeli Government in recent months has created greater distrust about its real intentions. All indications and acts lead us to believe that Israel aims at thwarting the peace process, which is based on the principle of two States, Israel and Palestine, living side by side in peace and within secure and recognized borders. Israel's acts and behaviour show that it has opted for a course that runs counter to the search for a just and lasting solution. The construction of this wall of separation, which upon completion will extend between 450 and 600 kilometres, prevents more than 200,000 Palestinian citizens from forging a future and deprives them of their land and livelihood. It is also in flagrant violation

of international humanitarian law and the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.

We ask the members of the Council to refer, for example, to the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the occupied Palestinian territories. He clearly and honestly stated in his report a point worth considering. Some have stated that the wall is being built to achieve security for Israel and its settlements and settlers in the occupied Palestinian territory. Our response is that, if as some, including the Palestinians, have said, Israelis want to live in security, in isolation, then the wall of separation should be built along the 1949 ceasefire demarcation line. But, behind this act is the notion of expansion, of taking over Palestinian land and destroying the future of the Palestinian people. It also runs counter to the concept of two States — Israeli and Palestinian, as the Palestinian representative has mentioned.

Secondly, how else can Israel's acts be explained, given the ongoing escalation of violence against the Palestinians. Their territory is invaded; their houses are destroyed; their activists are killed; and they are subjected to collective punishment. All those measures unfortunately spark counter-violence and lead to attacks that kill Israeli civilians in Israeli territory. The Egyptian Government has condemned those acts, including the latest attack carried out in Haifa.

Today the Security Council must shoulder its responsibility and show its determination to achieve a settlement in keeping with Security Council resolution 1397 (2002) on the establishment of two States — Israel and Palestine — with a view to controlling this continuously deteriorating situation in the region. What is demanded of the Security Council today is to express international consensus on the firm demand that Israel stop the construction of the wall of separation deep inside Palestinian territory, set aside its settlement policy and assume its responsibilities as an occupying Power, in accordance with the 1949 Fourth Geneva Convention.

In conclusion, Secretary-General Kofi Annan spoke honestly and explicitly at the end of the Quartet meeting on 26 September 2003, when he said that the situation calls for bold steps with a view to extricating ourselves from this impasse and to beginning to implement the road map. Transparent machinery is required to tackle certain tasks, with close monitoring, in keeping with a clear timetable and carrying out well defined measures, so that commitments can be kept and implemented.

The President: I call on the representative of Cuba.

Mr. Rodríguez Parrilla (Cuba) (*spoke in Spanish*): In recent months, another very dangerous and unacceptable act — the construction of a wall of separation on Palestinian land — has been added to a long history of occupation, aggression, illegal settlements, massive flagrant and systematic violations of human rights, State terrorism and extrajudicial killings, economic strangulation and physical and moral harm caused by Israel's continuous refusal to comply, for more than five decades, with the provisions of numerous resolutions of this organ and the General Assembly.

The Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, annexed to General Assembly resolution 2625 (XXV), sets forth the inadmissibility of the acquisition of territory by force, which is a principle of international law. This is why the international community has always refused to recognize illegal Israeli settlements and Israel's annexation of East Jerusalem and the Golan Heights, as has been recognized in Security Council resolutions 465 (1980), 478 (1980) and 497 (1981). In those cases, the reaction of the international community, expressed through the United Nations, was clear and firm. However, the underhanded annexation that Israel is carrying out before our eyes has not been as roundly condemned.

Israel presents the construction of the separation wall between Israel and the occupied Palestinian territory as a security measure. If the wall were built on the so-called Green Line, which delineates the border established in 1967 between Israel and the occupied Palestinian territory, that would also be unacceptable. But the wall is being built on Palestinian lands, covering almost 7 per cent of its territory, including farmland, water resources and villages.

The building of the separation wall, the expansion of settlements and the construction of security routes between the settlements and Israel constitute a clear territorial expansion, to the detriment of the Palestinian

people and its alienable right to enjoy self-determination and to establish its own independent and sovereign State. The construction of the wall also reveals Israel's true position, which runs counter to a genuine peace process.

Building new physical divisions in the occupied Palestinian territory makes the opportunities for a lasting and just settlement to the conflict become even more distant. "Bantustanization" of the occupied Palestinian territories creates new changes in the field, which further complicate any future negotiations on permanent status and make it impossible to establish a Palestinian State in which all its territory is contiguous.

Violence and the use of force cannot lead to a solution to the conflict, a solution that the world seeks and that would have come about many years ago had the Security Council acted decisively, if double standards had not held sway and if the paralysing vetoes of the United States had not impeded the adoption of appropriate measures to ensure the withdrawal of Israel from all the occupied territories and to achieve the much desired peace in the Middle East region.

Cuba reiterates its unflagging support for the cause of the Arab peoples, and expresses its deep solidarity with their struggle and resistance against foreign occupation.

Cuba hopes that the Security Council will take the necessary steps to immediately halt the construction of the separation wall; to restore all the occupied Arab territories, including the Gaza Strip, West Bank and Syrian Golan Heights; to stop Israeli provocations and attacks against Lebanon and Syria; to guarantee the return of all Palestinian refugees; to eliminate the illegal Israeli settlements; and to ensure that the Palestinian people can exercise their legitimate right to establish an independent State, with its capital in East Jerusalem.

The President: I now give the floor to the Ambassador of Jordan.

Mr. Al-Hussein (Jordan) (*spoke in Arabic*): I thank you, Mr. President, for calling this special meeting to consider the question of Palestine and Israel's construction of the separation wall.

We are seriously concerned about the developments in the Middle East. We in Jordan are in the middle of a circle of geographical and political instability, not to mention the resulting social and economic repercussions. The latest escalation threatens the peace and stability of all the States of the region. We therefore call on all parties to exercise the maximum self-restraint and work effectively and with determination to put the political process back on track.

On this basis, we reaffirm our support for the vision for peace in the Middle East put forward last June by United States President George Bush, and for the road map, to which Jordan actively contributed. They provide for a genuine change in the political situation through mutual commitments, the end of Israeli occupation and the establishment of an independent Palestinian State, in accordance with Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002), the principle of land for peace and the Arab peace initiative.

The road map sets forth a time frame of three years for the establishment of a Palestinian State and a monitoring and assessment mechanism to ensure timely implementation of the measures. We should be focusing on expediting the establishment of a genuine mechanism for monitoring the political and security situation under the Quartet's auspices to ensure that parties fulfil their reciprocal commitments made in accordance with the road map. This is the path that will enable us to use the present historic opportunity to achieve a comprehensive, just and lasting peace in the Middle East.

It is high time to implement the road map and take significant and prompt steps to put the peace process back on an irreversible track. But the Israeli Government's continued security policies, assassinations, extrajudicial killings and targeting of Palestinian citizens directly threaten the future of the peace process and implementation of the road map. Moreover, its continued violation of the Fourth Geneva Convention, the imposition of oppressive measures against the Palestinian people and the occupation of Palestinian land have been the main cause of the Palestinians' unacceptable economic suffering and difficult living conditions.

At the same time, Jordan took a principled moral and political position against suicide operations. We feel that these operations, which we condemn, have reflected negatively on and diminished international sympathy for the Palestinian cause and diverted

attention from the main issue ending the Israeli occupation of the Palestinian territories.

The current circumstances will only help to strengthen extremists on both sides. We believe that the Israeli security policy has not and will not bring about security for Israelis.

Israel's ongoing construction of the separation wall and its settlement activities are a violation of the principles of international law and of United Nations resolutions on Palestine, especially Security Council resolutions 476 (1980) and 478 (1980). We condemn the construction of the separation wall, which entrenches the Israeli occupation of the Palestinian territories, devours more land and imposes a de facto situation on the future Palestinian State, in the sense that it cuts deeply into the Palestinian territories and does not conform to the Green Line of June 1967. The completion of the wall means the annexation of more than 10 per cent of the land of the West Bank to Israel and the imprisonment of more than 95,000 Palestinian citizens between the wall and the Green Line of June 1967. It affects the livelihood of more than 210,000 Palestinians in more than 67 villages and violates human rights in the Palestinian occupied territories.

We call on Israel to stop the construction of the wall immediately and emphasize the need to respect the lines of 4 June 1967. We call on it to start immediately, in conformity with its commitments in the first phase of the road map, with the dismantling of all the settlements built since March 2001. Israel's pursuit of its settlement activities, construction of the separation wall and expansion of the occupation of Palestinian territories run counter to the vision of two States — Palestine and Israel — living side by side in peace. Indeed, it renders it completely impossible. This leads us to ask if the Israeli side really wants to realize the vision of two States or if it has another vision entirely.

Mr. Al-Shamsi (United Arab Emirates) (*spoke in Arabic*): Mr. President, it gives me great pleasure to extend to you, on behalf of the United Arab Emirates, my sincerest congratulations on your assumption of the presidency of the Security Council this month, and I wish you every success. I would also like to thank your predecessor, the Permanent Representative of Great Britain, for his efforts in managing the activities of the Council last month.

Mr. President, your quick response to the request to convene an emergency meeting for the second time in 10 days reflects the growing international concern regarding the tragic and serious situation in the Middle East that has resulted from the grave violations and illegal acts committed daily by the Government of Israel, in defiance of relevant international norms and resolutions.

Many international appeals and calls have been made by the United Nations and by world leaders, including the members of the Quartet, urging the Government of Israel to end its flagrant policy of violations of the national, political and human rights of the Palestinian people, including the construction of the disturbing, illegitimate, racist separation wall through the occupied Palestinian lands and cities. It is regrettable that despite those appeals the Government of Israel intransigently continues its policy and has started the second phase of the separation wall, ignoring all appeals and flouting with contempt the legal, political and moral obligations imposed by peace agreements, international law and other relevant and legitimate international resolutions.

The series of important periodic and regular reports submitted by the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Mr. Terje Roed-Larsen, and by his other assistants for political affairs, to the Security Council and to other bodies regarding this subject have strongly warned of the separation wall's dangerous and negative impact on the daily life of the Palestinian people as well as on the peace process.

The separation wall, which is built deep inside Palestinian villages and cities — 6 kilometres deep in some areas — will result in the de facto annexation of thousands of acres of private and public Palestinian lands, which contain water and other natural resources, in addition to the other Arab and Palestinian lands that were seized militarily by Israel during previous decades. This concrete wall has resulted in extensive destruction of fertile Palestinian lands and in the separation and isolation of many villages and cities. It has affected the lives of thousands of Palestinians who lost their jobs and have been denied access to their schools, families, lands and other basic services, such as hospitals and other facilities.

Moreover, most dangerous of all is that construction of this walled barrier, fortified by barbed wire and trenches, will penetrate into East Jerusalem. It is an attempt to illegally and illegitimately annex this

Holy City, which is considered the capital of Palestine. That will lead to the disintegration of Palestinian society and will affect the future Palestinian State in the West Bank and the Gaza Strip, areas that were occupied by Israel in 1967 in violation of legitimate international resolutions, in particular resolutions 242 (1967) and 1397 (2002).

The Security Council's failure to take the necessary and effective measures to stop Israel's policies of aggression and its flagrant violation of its resolutions and of international humanitarian laws and norms has conveyed a wrong message to the Government of Israel and has encouraged it to continue its aggression against the countries and peoples of the region. Otherwise, how can we explain the continued Israeli military attacks against the cities, villages and camps of the West Bank and the Gaza Strip, the killing and displacement of hundreds of Palestinians, the daily demolition of dozens of Palestinian homes and properties, penetration of Lebanon's airspace and its unjustified military attack against Ein Saheb in Syria on 5 October. These provocative Israeli acts constitute a gross violation of the separation agreements between the forces, in the Golan Heights in 1974, the Blue Line understanding sponsored by the United Nations in southern Lebanon and the other relevant international resolutions.

We therefore appeal to the international community to move with all urgency to stop the Israeli threat to international peace and security. If this threat is not stopped it will ruin peace efforts and opportunities and will drag the entire region and its peoples into a new circle of violence and war.

Furthermore, the United Arab Emirates strongly deplores the Israeli position on building the separation wall, and its continuing occupation and aggression against the Palestinian and Arab lands, which constitute part of its expansion and colonization plans for the region. We also urge the Security Council to issue an effective resolution that categorically condemns the separation wall and demands that Israel fully and unconditionally remove the wall, in accordance with the United Nations Charter, international humanitarian law and the relevant United Nations resolutions.

We also appeal to the Quartet — and especially to its influential members — to bring pressure to bear on the Israeli Government to compel it to respond to international appeals immediately to cease construction of the separation wall, to resume negotiations and to comply with its obligations under the provisions of the road map, which calls for the establishment of two States — Palestine and Israel — living side by side in peace and security in the region.

The President: The next speaker is the representative of Japan, on whom I now call.

Mr. Haraguchi (Japan): First, allow me to express my profound sorrow at the deaths of those who perished, deep condolences to the bereaved families and heartfelt sympathy to those injured in the suicide bombing in Haifa on 4 October. Terrorism cannot be justified for any reason. Japan reiterates its condemnation of the brutal terrorist attacks that continue to victimize large numbers of innocent people.

The Israeli attack against Syrian territory on 5 October, however, could cause a further deterioration of the situation in that region, where the level of tension is already elevated. Japan considers that attack to be absolutely deplorable.

As those incidents illustrate, the situation in the Middle East has worsened, to the great disappointment of the international community. Japan recognizes that the extension of the so-called separation fences, as approved by the Israeli Cabinet, will cut into the Green Line. This is particularly true in the case of the area surrounding the Ariel settlement.

These separation fences, although it is claimed that they are intended to prevent the intrusion of terrorists, not only negatively affect the lives of Palestinians but also prejudge the final status of the negotiations, as the fence is to be extended inside the Green Line. Japan has therefore called upon the Israeli Government to reconsider its fence programme.

With respect to the latest Israeli decision to extend the fence, which is truly regrettable, Japan strongly requested the Israeli Government, on 1 October — the day of Cabinet approval — to refrain from implementing that decision. Today, I would like to take this opportunity to request the Israeli Government once again not to implement that decision. Japan will closely watch the Israeli Government's actions with regard to this matter.

At the same time, Japan fully expects that the Palestinian Authority will resolutely fight against violence by the extremists and take steadfast measures

for that purpose. It is indispensable that the Palestinian Authority fully recognize that, unless steady efforts are made, it will be difficult to improve the situation. I would also like to emphasize that any lack of resolute measures on the part of the Palestinian Authority against the violence will only provide an additional excuse inside Israel for the continued construction of the separation fence.

The Government of Japan is concerned that the efforts for peace based on the road map, which is now at a critical juncture, have become increasingly fraught with difficulties. Nevertheless, the road map remains the only viable way to achieve peace. I reiterate our earnest hope that, in order to resume the implementation of the road map, both the Israeli and the Palestinian sides will exercise the maximum self-restraint, refrain from taking measures which will worsen the situation, and make the utmost efforts for putting an end to the violence.

The President: The next speaker inscribed on my list is the representative of Bahrain.

Mr. Almansoor (Bahrain) *(spoke in Arabic)*: Israel is continuing its expansionist policy and its creation of a fait accompli by building a separation wall. Israel has continued construction of the first stage of that wall, which runs along 150 kilometres within the occupied Palestinian territories.

That wall consists of obstacles with barbed wire, trenches and electric locks, designed to isolate Palestinian towns and villages from each other. A great deal of agricultural land has been destroyed, as have the livelihoods of the thousands of Palestinians who live off the harvest from those lands.

The separation wall encircles several Palestinian cities, including the city of Qalqilya. The population there is totally cut off from their jobs, families and schools. The continued construction of the wall will lead to a de facto separation of a great swaths of Palestinian territory from other territories and to the confiscation of even more land, which will intensify the sufferings of the Palestinian people.

Several days ago, the Israeli Cabinet gave its agreement to beginning the construction of the second stage of the separation wall. That means the confiscation of even more Palestinian territory. Israel is totally flouting international appeals and resolutions requesting that it immediately cease construction of the separation wall as well as ignoring relevant resolutions and anything that would make possible the establishment of an independent and viable Palestinian State.

Israel's insistence on building the wall risks undermining the peace process as a whole. Proof of Israel's arrogance is its recent aggression against the city of Rafah and against a refugee camp near the Egyptian border. That raid lasted 50 hours, caused the deaths of eight Palestinians and injured more than 80. It destroyed 120 houses completely and partially damaged 170 others. Roads and infrastructure were heavily damaged, as were electrical and energy networks.

Eyewitnesses likened that act of aggression to an earthquake. The creation of the separation wall would not provide Israel with the security it hopes for, nor will it prevent suicide attacks. It will only increase rancour and hatred of it.

If Israel genuinely wants to have security, it will have to put an end to its occupation of Palestinian territories and go back to the 1967 borders. The peace process requires the building of confidence between the two parties — not the building of a racist wall that serves only to aggravate the situation.

The fact that Israel is pursuing its expansionist and illegal policy in occupied Palestinian territories, including East Jerusalem, and the statement by the Israeli Government that it intends to build more than 600 housing units for settlements in the occupied Palestinian territories make clear the expansionist intentions of the Israeli Government.

The measures taken by the Israeli Government and its insistence on continuing its occupation of these lands is a flagrant violation of international humanitarian law and of the Charter of the United Nations, the Fourth Geneva Convention and all international law and legislation. It totally contravenes the road map, which paves the way for the establishment of an independent Palestinian State, coexisting peacefully side by side with Israel.

The Kingdom of Bahrain calls on the Security Council, the Quartet and those countries that are sponsoring the peace process to exert pressure on the Israeli Government immediately to halt construction of the separation wall, to tear it down and to cease building settlements.

We call urgently upon the Security Council to take immediate necessary measures, in conformity with the Charter of the United Nations and relevant resolutions, to deal with this very serious issue by putting an end to these illegal acts by the Israeli Government and to demand that Israel implement the road map in order to achieve a just and comprehensive solution to the situation in the Middle East.

The President: I call on the representative of Qatar.

Mr. Al-Bader (Qatar) (*spoke in Arabic*): I warmly thank you, Mr. President, for having provided us the opportunity to participate in this debate on a serious and important issue that is threatening international peace and security.

For 54 years now, the General Assembly — under resolution 181 (II), which called for an end to the British mandate for Palestine by the end of August 1948, has attempted to partition Palestine into two independent States that would live peacefully side by side with economic ties between them. The resolution also provided special status for Al-Quds Al-Sharif, or Jerusalem. Chapters 2 and 3 of the text laid down the borders for the two States. The Assembly also decided to establish a Special Committee that would monitor events in Palestine after the withdrawal of the mandate Power and would be charged with adopting the measures and laws necessary for the establishment of the two States.

Subsequently, when the State of Israel came into being, the Palestinians unfortunately were unable to create their own State, given Israel's continued violations of resolution 181 (II) and its annexation of a great number of Palestinian territories. As a result, conflict and violence erupted between the Israeli and Arab sides. Today, Israel continues to violate both General Assembly and Security Council resolutions, including resolution 242 (1967) which demands Israel's full withdrawal from the territories occupied in 1967 — including Al-Quds Al-Sharif — and resolution 338 (1973), which demands that Israel fully implement resolution 242 (1967) and stipulates that the parties to the conflict must begin negotiations leading to the establishment of a just and lasting peace in the Middle East.

We are meeting today at a time of escalating military threats that threaten the whole region and that are difficult to control. We cannot predict the results, given Israel's provocations on several fronts. Its most recent acts of aggression against Syria and Rafah are irrefutable proof of Israel's ongoing violations of international law and of the principles of international conventions, including the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War, and Israel's defiance of international legitimacy and its resolutions. At a time when we are seeing a deterioration of the situation in the occupied Palestinian territories and acts carried out against the Palestinian people in full public view, we note with sadness the grave deterioration of the security situation in the occupied Palestinian territories as a result of the recent Israel invasion of Rafah, the full siege and the imposition of a curfew on civilian populations that has made it impossible for officials of international humanitarian organizations to carry out their work.

The Israeli occupying forces are flagrantly defying international law and the international community by putting President Yasser Arafat and other elected Palestinian leaders under siege and by demolishing houses, killing individuals and attacking religious sites — barbarities that we have not seen since the end of the Second World War — which have led the International Committee of the Red Cross and officials of various humanitarian organizations to condemn those acts. The responsible parties should be brought to justice before international tribunals and charged with human rights violations on the scale of war crimes.

The situation has continued to deteriorate, particularly since Israel's decision to build the separation wall, which has been condemned by the international community — even including a portion of Israeli society — given its negative effects on the economic and social life of the Palestinian people, on the movement of citizens and on free trade. The wall has annexed the lands of 25 Palestinian towns, completely destroying their economies and cutting them off from one another. The second phase of the wall will isolate East Jerusalem, and thus 200,000 Palestinians will be living within the Green Line. According to an estimate by the World Bank, the separation wall will take up to 12 per cent of the West Bank's territory. While we witnessed the fall of the Berlin wall — a wall that was condemned by the international community — today we are witnessing the building of a wall that is much more dangerous than the Berlin Wall was, since it does not only directly

threaten the establishment of a Palestinian political entity but will have negative effects on the Palestinians themselves, on the fabric of their daily lives, on their economic, social and cultural situation and on their health. Moreover, it will have negative effects on the entire negotiating process and on the prospects for a lasting settlement. Israel has imposed this wall as a fait accompli, thereby occupying the territories it wishes to occupy.

Violence can only lead to counter-violence; thus this violence must end. The Palestinian people must be provided guarantees for the return of their refugees, for their right to self-determination and for the establishment of an independent Palestinian State, living side by side with Israel in peace, in conformity with Security Council resolutions 242 (1967) and 338 (1973), which reaffirm the principle of land for peace; with other Conventions concluded by the two parties; and with various peace initiatives, particularly that of the Summit of the Arab League, held at Beirut, and with the road map.

The President: I call on the representative of South Africa.

Mr. Kumalo (South Africa): My delegation wishes to congratulate you, Sir, on assuming the presidency of the Council for the month of October on behalf of the United States. We wish you success in dealing with some of the most difficult global issues that we face.

Once more, the Security Council is called upon to pronounce on whether it is ready to take action on one of the most difficult issues on its agenda. The question before us today is whether the Council is willing and able to address the threat to international peace and security that is posed by the separation wall that Israel is building in support of its continued occupation of the West Bank and Gaza. The draft resolution before the Council simply demands the cessation and reversal of the construction of the separation wall. The resolution points out that the separation wall represents a departure from the armistice line of 1949 and is illegal under the provisions of international law.

South Africa has condemned, in the strongest possible terms, the recent suicide attack in Haifa. We have expressed our deepest sympathies to the families of the victims. Atrocities of that nature cannot bring about peace in the Middle East — or anywhere, for that matter. Sadly, these tragedies only serve to further fuel the cycle of violence and counter-violence in the Middle East.

In defiance of world opinion and international law, the Israeli Cabinet has approved the second phase of the construction of the separation wall. According to the plan approved by the Israeli Cabinet, the path of the wall would follow a number of horseshoe-shaped digressions to include Ariel and three other large Israeli settlements deep within the 1967 Green Line. Israel has also decided to proceed with the construction of another 600 homes for settlers near Jerusalem. In the process, Israel is separating Palestinians from their workplaces, their places of worship and even their own family members.

The ongoing construction activities are only the latest in a decades-old effort to expand the territory of Israel. As the Israeli media itself have reported, Israel has spent approximately $10 billion since 1967 to settle 230,000 settlers in Palestine. The Israeli Government is luring people from all over the world to come and populate the settlements by offering generous subsidies, including personal income tax breaks, grants, loans, bonuses and career opportunities. The settlements bring with them the creation of settler roads that can be used only by Israeli settlers, as well as security barricades and military outposts. Each settlement diminishes the dream of Palestinian statehood and guarantees that Israel will forever be faced with the rebellions of the displaced Palestinians.

My delegation wishes to draw the Security Council's attention to a report dated 8 September 2003 drafted by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967. In his report, Mr. John Dugard points out that the ongoing expansion of Israeli settlements and the construction of the separation wall suggest that "territorial expansion remains an essential feature of Israel's policies and practices in the [occupied Palestinian territory]" (*E/CN.4/2004/6, summary*). He submits that the time has come for the international community to condemn the separation wall as an unlawful act of annexation in the same vein that Israel's annexation of East Jerusalem and the Golan Heights has been condemned as unlawful.

We believe that Mr. Dugard is correct in his assertion that we should avoid political euphemisms and rather state in precise and legally accurate terms

that "what we are presently witnessing in the West Bank is a visible and clear act of territorial annexation under the guise of security" (*ibid., para. 6*).

Each time we have appeared before the Security Council on this matter we have emphasized our belief that the solution to the Palestinian-Israeli conflict is a negotiated settlement that would result in a two-State solution, that is, a sovereign State of Israel and a sovereign State of Palestine with East Jerusalem as its capital.

The building of a separation wall is a pretext to occupy more land and makes a negotiated settlement even harder to achieve. Certainly, following the determined efforts the world put into bringing the Berlin wall down, the Council should be able to find within itself the courage to deal with this separation wall. We would expect that the Security Council, which carries a solemn mandate to intervene on such matters, would choose not to remain silent.

The President: I call on the representative of Saudi Arabia.

Mr. Al-Badi (Saudi Arabia) *(spoke in Arabic)*: The serious and bloody events taking place in the occupied Palestinian territories confirm the aggressive nature of Israel, which is seeking to create pretexts to further its settler colonialism and to expand, in order to usurp and Judaize more Palestinian territories and to create new conditions which are impossible for the Palestinians to accept or live with.

Anyone who resists occupation, rejects humiliation and indignity, finds all the roads closed before him and is left with nothing but self-sacrifice is called a "terrorist" and must be condemned. Furthermore, his clan and his relatives must be punished and penalized. Yet the unjust occupier and oppressor who has usurped all the rights of others is allowed to enjoy the right of self-defence to further its colonialism and entrench its occupation.

The racist separation wall — which the Palestinians consider the third tragedy, or *nakba* — the construction of which began in 2002 under the pretext of maintaining security, is in fact part of Ariel Sharon's plan, which dates back to the 1970s and which he began implementing in the 1980s with the Seven Stars settlement plan. That plan seeks to erase and completely abolish the Green Line in several areas and to annex the Israeli settlements to Israel, creating narrow alleys between cities and other populated Palestinian areas, which the Israeli Government views as separate cantons that will be controlled by Israel, which will allow the Palestinians to manage their own internal affairs, so that Israel will be spared the burden of a foreign population.

The first phase of the construction of the wall, comprising 90 kilometres from Jenin to Qalqilya, has been completed and has devoured one third of the West Bank. The eastern wall will extend from Ain al-Baydat through Toubas to Jericho. Thus, the map of the four cantons will be completed in the West Bank. This will isolate some 250,000 Palestinians in real prisons from which they cannot move.

It is thus clear that the purpose of this racist wall is not to ensure security, as insolently claimed by Israel, but to confiscate more land, and to humiliate and oppress the Palestinian people creating conditions making it difficult or impossible for them to live within their own country and on their own land. Probably the best evidence of this is set out in the report of the Special Rapporteur of the Commission on Human Rights, John Dugard, which states that "The evidence strongly suggests that Israel is determined to create facts on the ground amounting to de facto annexation" (*E/CN.4/2004/6, summary*), and that "Israel's action in the [occupied Palestinian territory] is so remote from the interests of security that it assumes the character of punishment, humiliation and conquest [of the Palestinian people]" (*ibid., para. 5*).

Israel would not have continued its injustices and aggression had the Security Council assumed its responsibilities to preserve international peace and security. Israel would not have continued to ignore and disdain the Security Council and the United Nations had it not been for the practice of double standards. Israel would not have continued its policy of colonialism and the building of additional settlements had it not been assured that it had political protection and that no economic sanctions would be imposed upon it such as the ones imposed upon other States.

Given both the permanent international responsibility of the United Nations for the Palestinian question until such a time as it is resolved in all its aspects as well as the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, the Kingdom of Saudi Arabia calls upon the Security Council to fully assume its

responsibilities and discharge its obligations by asserting the illegitimacy of erecting such a wall and by calling for Israel to halt its construction immediately. The Kingdom of Saudi Arabia has called, and will continue to call, for the deployment of an international interposition force between Palestinians and Israelis. The situation in the Middle East should be no exception to the rule enforced in other parts of the world to separate warring parties. The Kingdom of Saudi Arabia calls on the Quartet to assume its responsibilities under the road map and to establish implementation mechanisms for it, including the deployment of an interposition force to separate the parties and guarantee their adherence to the road map.

The President: I now give the floor to the representative of Argentina.

Mr. Cappagli (Argentina) (*spoke in Spanish*): I would first like to thank you, Mr. President, for convening this open debate, which enables non-members of the Security Council to express their views on the continuing deterioration of the situation in the Middle East, which poses great danger to the security of the region.

As the majority of representatives taking part in this debate have done, the delegation of Argentina would like to express its concern and sorrow at the deepening crisis in the Middle East and at the suffering of the Israeli and Palestinian peoples. Extremely grave events have taken place in recent weeks that have led to a spiral of violence, revenge and reprisal that has resulted in dozens of Israeli and Palestinian civilians being killed or wounded.

Another suicide attack occurred on 4 October 2003, at Haifa, on the eve of Yom Kippur. That attack set off increased violence on various levels. The killing at a Haifa restaurant of 20 Israeli Jewish and Arab citizens — including women, children and older persons — once again underscored the irrationality and barbarity of which terrorism is capable. We reiterate our strongest possible condemnation of terrorism in all its manifestations. We call for an end to such atrocities, which do not further the Palestinian cause but which instead do great damage to it, not only in the eyes of Israeli public opinion but also in that of the world.

We reiterate that the Palestinian Authority must take urgent measures to dismantle the terrorist infrastructure and to arrest the individuals responsible for planning such brutal attacks. According to the road map, Palestinian security services are to be restructured under a Ministry for the Interior that has real powers. We hope that the efforts of Palestinian Prime Minister Ahmed Korei to that end will be successful. We also hope that all Palestinian leaders will ensure that that objective is irreversibly achieved as soon as possible.

We recognize that Israel has a legitimate right to defend itself from terrorist acts. However, we believe that that right should be exercised in conformity with international law. Specifically, Israel must refrain from the use of excessive force in densely populated areas and stop its policy of targeted assassinations and collective punishment. It should also take steps to improve living conditions in the occupied territories. Along the same lines, and in keeping with the road map, settlement activities on occupied territory should also cease, including the so-called natural growth of those settlements. The dismantling of illegal settlements, which are an obstacle to peace, should also commence.

Israel's construction of a wall on occupied territory is one more reason for concern. It is also a violation of international law. We therefore call for an end to the ongoing construction of the wall, especially along areas that do not follow the Green Line. According to many available reports, the wall is causing much inconvenience and disruption to thousands of Palestinians who are being separated from families, schools, hospitals, places of employment and agricultural fields. All of that contributes to even further deterioration of the economic and social conditions in the West Bank.

Before concluding, I would briefly like to refer to the situation in the region from the perspective of the events of recent weeks.

On 6 October 2003, the Government of Argentina issued a press release condemning the attack perpetrated in violation of the norms of international law and specific provisions of the Charter of the United Nations against Syrian territory by five airplanes of the Israeli air force. On that occasion my Government also condemned the terrorist attacks carried out against Israeli citizens, which leave behind a painful toll in dead and wounded. The rising tension between Israel and Lebanon and between Israel and Syria presents a great danger to security in the entire region. We appeal to the leaders of all the countries concerned to act

cautiously and to refrain from any measures that will lead to an escalation of unforeseeable consequences.

The cost in human lives of the current state of affairs is very high. It has become increasingly obvious that there can be no military solution, much less a terrorist solution, to this conflict. The sole route available is that of mutual concessions, as described in the road map. With courage and determination, the necessary measures must be adopted to get the peace process back and track and to make a reality of the vision of two States, Israel and Palestine, living side by side in the Middle East in peace and within secure borders.

The President: I now give the floor to the representative of the Libyan Arab Jamahiriya.

Mr. Treki (Libyan Arab Jamahiriya) (*spoke in Arabic*): The Security Council is meeting today to discuss the problem of the separation wall being built in the occupied Palestinian territories as a security construction but which is in reality a part of Israel's long-term plan to annex additional territories by force. This represents a serious violation of the Fourth Geneva Convention, of the United Nations Charter, and dangerously threatens international efforts aimed at reaching a peaceful solution.

The wall will ruin fertile Palestinian agricultural land, isolate and separate Palestinian towns and villages and destroy the lives of the thousands of Palestinians who are and will be cut off from their lands, work, schools and institutions. The construction of the wall is also an attempt by Israel to reaffirm its annexation of East Jerusalem. Moreover, the Israeli occupying authorities are pursuing the establishment of illegal settlements in occupied Palestinian territories, including East Jerusalem, thus revealing their expansionist intentions and their offhand attitude towards international efforts to achieve a peaceful solution to this problem.

Israel's attacks on Palestinian cities; its targeting of innocent Palestinians and demolition of their homes; its extrajudicial executions; its recent destruction of the Rafah refugee camp; and its murder of dozens of innocent Palestinians must be condemned by this Council, which bears primary responsibility for the maintenance of international peace and security. The Council must compel Israel, the occupying Power, to end the occupation of all Arab lands and to abandon all measures to annex new lands. This most contemptible form of occupation is unacceptable and would be cause for resistance by any people on whom it was imposed. The Europeans resisted the Nazis, the United States fought its occupiers, and the Palestinian people is no exception.

My country condemns all forms of terrorism, but we cannot accept the pretext put forward by the occupying Power for its killing of Palestinians. True terrorism is that which is being pursued by the occupying Power. This is the same excuse that has been used by colonizing Powers against all those who have resisted them. Fascist Italy, too, used it against Libyan fighters during their war for liberation. The essential problem is that of the unspeakable occupation of the Palestinian territories. This Council must make Israel, the occupying Power, respect all its resolutions and those of the General Assembly. It must compel Israel to withdraw from the Palestinian territories and restore to the Palestinians their legitimate right to an independent State on their own national soil, with Jerusalem as its capital. Israel's excuses regarding its own security are mere procrastination and demonstrate its lack of earnestness in withdrawing from the occupied territories. It is putting the cart before the horse, because its security can be assured only when its occupying forces withdraw.

We ask the Security Council and the international community to strive to ensure that the suffering of the Palestinian people is finally ended and to exert pressure on Israel to withdraw from Palestinian territories. That is the only way to ensure peace and security in that sensitive region. The wall is only one manifestation of the illegal occupation.

The President: The next speaker on my list is the representative of Tunisia, on whom I now call.

Mr. Hachani (Tunisia) (*spoke in Arabic*): The Security Council is meeting once again to review Israel's actions against the Palestinian people and its flouting of the principles adopted by the international community in its search for a just and lasting solution to the conflict in the Middle East.

The numerous meetings of the Security Council on the Middle East and the increasing deterioration of the situation there are clear evidence of the need for the Council to adopt a stern position with a view to resolving the issue. The situation is most grave and we must ensure that a settlement be found. On a human level, the circumstances are most sad, because the

brotherly Palestinian people have been deprived of their lands, homes and incomes.

Tunisia has followed with concern reports from various quarters, official and unofficial, on the Israeli Government's construction of a separation wall that cuts into land beyond the 1967 borders. This is a flagrant violation of international law, the Fourth Geneva Convention in particular, as it constitutes the confiscation of occupied land and restricts the freedom of movement of the Palestinians. The wall is a brazen flouting of the road map and the two-State vision adopted by our Council. The Israeli Government's attempt to impose a fait accompli upon the Palestinian people is unacceptable and may move them to even greater despair and frustration. Accordingly, the Council must adopt a resolution that sends a clear message to the current Israeli Government.

The Middle East sorely needs initiatives of good will rather than separation walls. Security cannot prevail in the face of continual psychological and material obstacles. Rather, it requires Israel to demonstrate true political resolve to engage in the peace process and to end the occupation, thereby enabling the Palestinian people to establish their independent State on their own soil, with Jerusalem as its capital, in the context of international legitimacy and the relevant resolutions.

The President: I give the floor to the representative of Brazil.

Mr. Sardenberg (Brazil): This debate is taking place against the backdrop of an increasingly serious situation in the Middle East. The stalemate in the peace process jeopardizes the stability of the whole region, as recent tragic developments prove only too well. This situation of virtual paralysis, which is conducive to the escalation of tension and hostilities, demands the permanent engagement of the Security Council.

The follow-up of the situation by the Council on the basis of its monthly assessments is now insufficient and is putting the Council's credibility at risk. Unless prompt and concrete measures are adopted, we may be faced with a full-scale crisis beyond our control.

Brazil has had many opportunities to express its condemnation of all acts of violence and all forms of terrorism. We have voiced our dismay at the spiral of brutality, founded on retaliation and revenge, that characterizes daily life in parts of the Middle East. Too many innocent lives have already been claimed.

Peace will not be achieved by merely forcing the hand of one party until it finally capitulates. Only the resumption of negotiations that result in a just and comprehensive agreement can pave the way for lasting peace for all the peoples in the region. In this regard, the construction of a separation wall and the announcement by the Israeli Government of new settlement activities in the occupied territories further discourage the trust and confidence that are indispensable at this moment.

We call upon the parties to return to the negotiating table and, with resolute and bold steps, to begin the implementation of the road map. The parties must do their best to make the road map work. The creation of a Palestinian State, in accordance with the legitimate aspirations of its people, and a State of Israel, living within internationally recognized borders, is the only way of ensuring peace and stability in the Middle East. The Government of Brazil reiterates its willingness to contribute to any initiative, under the auspices of the United Nations, which may lead to that end.

The President: I give the floor to the representative of Indonesia.

Mr. Jenie (Indonesia): Allow me at the outset to express the appreciation of my delegation to you, Mr. President, for having convened this important meeting to address the alarming situation in the Middle East, particularly in the occupied Palestinian territories.

Indonesia is gravely concerned about Israel's continuing territorial expansion through its illegal construction of settlements, outposts and road networks, and the accompanying demolition of Palestinian homes and property. This ongoing process has undoubtedly changed the status quo.

This situation has further worsened with the illegal construction of the wall in the West Bank and other areas by the Israeli Government. The construction of the wall not only amounts to the illegal confiscation of Palestinian land, but also impoverishes the affected Palestinian communities. Indeed, the construction of the wall further disrupts the delivery of basic social services, thereby making life even more difficult for the Palestinians in those areas.

The most recent report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People noted that the construction of the wall is taking place deep — as much as 6 kilometres — inside the West Bank, and that vast areas of land are being seized and bulldozed. Indeed, the completed construction has resulted in the unlawful confiscation of 2,850 acres of high-income Palestinian land, and the process is still going on. We cannot let this continue, because the main objective of this policy is obvious: it is designed to erode the capability of Palestine to survive as an independent State in the future.

Needless to say, Israel's construction of the wall is capable of derailing the Middle East peace process, plunging the region into a deeper cycle of violence and threatening the road map. My delegation continues to maintain that the road map currently represents the most viable vehicle for a solution to the challenge of peace between the Palestinians and the Israelis and the actualization of an independent Palestinian State by 2005. The Israeli policies must therefore cease and be reversed immediately.

Finally, Indonesia shares the views of other countries of the Arab Group, the Organization of the Islamic Conference and the Non-Aligned Movement in condemning Israel's ill-considered policies, including the construction of the wall and the continuing resettlement plan. Such activities are illegal under international law.

My delegation is also of the view that the proposed draft resolution on the situation in Middle East is not only timely, but also necessary if a comprehensive resolution of the conflict is to be achieved. Given this situation, Indonesia calls for its adoption by the Security Council.

The President: I give the floor to the representative of Turkey.

Mr. Pamir (Turkey): At the outset, I would like to congratulate you, Sir, on your assumption of the presidency of the Security Council, and wish the delegation of the United States every success in its important duty.

My delegation associates itself with the statement to be made by the representative of Italy, on behalf of the European Union. Our concerns are reflected in that statement, which underscores the fragility of the situation on the ground. The recent cycle of violence has, indeed, demonstrated how vital it is for both parties to comply with their respective responsibilities and start the implementation of the Quartet road map. In the light of Turkey's special historical, friendly ties with both Israel and the Palestinians, I would like to make some additional comments.

Turkey is of the view that the separation or security wall which is being constructed in the West Bank further complicates the context in which we must pursue our efforts to bring Israelis and Palestinians together to achieve peace and security. In fact, the construction of the wall adds a new level of complexity to the existing web of issues awaiting resolution in the Palestinian-Israeli conflict.

We recognize Israel's legitimate security needs. We are concerned, however, about the construction of such a barrier by the Israeli Government. The structure that is being built is aggravating the dire conditions of the Palestinian people. We are concerned that once the wall has been completed, it will separate the Palestinian communities, causing them to live in isolation from one another in cantons in the West Bank. Furthermore, the fact that the wall as constructed goes deep into the Palestinian territories does not bode well, given the number of already vexing issues, including the status of Jerusalem.

As such, the wall is damaging to the political, security and socio-economic processes envisioned in the road map. It is becoming one of the most visible obstacles to the objective of achieving a just and lasting peace in the region. Establishing security is, indeed, of paramount importance, but the Palestinian-Israeli conflict has several other dimensions which also need to be addressed forthwith. Any improvement in the daily lives of the Palestinian people, who are struggling for their survival — any development that would ameliorate the living conditions of the beleaguered Palestinians — would, in our view, reflect positively on the security situation on the ground and create a much-needed platform for contact, which must be resumed between the two sides.

Clearly, the Palestinians must be resolute in fighting the perpetrators of the heinous acts of terror, and should immediately start dismantling the terrorist infrastructure by every means. Murder and violence cannot be allowed to define a just struggle.

The wall, on the other hand, is a blunt tool which punishes a whole people and casts doubt on the

intentions of the State of Israel. Full adherence to the requirements of the road map will prove to be the safest solution available to both Israel and the Palestinians.

The President: I now call on the Deputy Permanent Observer for the Organization of the Islamic Conference to the United Nations.

Mr. Hajihosseini (Organization of the Islamic Conference): At the outset, I would like to express to you, Mr. President, our profound thanks for convening this important meeting at the request of the Arab Group, supported by the Non-Aligned Movement and the Organization of the Islamic Conference (OIC).

As this is the first time this month that we have addressed the Council, we congratulate you, Sir, on your assumption of its presidency for the current month, and wish you every success in your stewardship of this body. We also extend our thanks and appreciation to Sir Emyr Jones Parry, Permanent Representative of the United Kingdom, for his leadership in steering the work of the Council so well last month.

While the illegal construction of Israeli settlements on Palestinian lands remains a clear manifestation of Israel's colonial policies, in 2003 the processes of territorial expansion have taken a different form. Israel's so-called security fence in the West Bank is its most recent — and one of the most blatant — manifestations of its policy of continuing its territorial expansion.

The construction of the wall itself constitutes a flagrant violation of international law and international humanitarian law, as it seeks to effectively alter the territorial integrity of the West Bank and accomplish the de facto annexation of the occupied Palestinian territory. The wall furthers the "bantustanization" of the West Bank into hundreds of small, dependent entities that cannot sustain themselves and that are more akin to small, disconnected open-air prisons surrounded by Israeli military checkpoints and settlements. The form of apartheid Israel practises against Palestinians meets all the criteria of the crime of apartheid as defined in the 1976 International Convention on the Suppression and Punishment of the Crime of Apartheid.

In a position paper dated April 2003, the Israeli Information Centre for Human Rights in the Occupied Territories, B'Tselem, stated that past experience indicated that Israel took advantage of its ability to restrict Palestinian movement in the occupied territories to accomplish forbidden objectives and was driven by considerations unrelated to its security. It went on:

> "It is reasonable to assume that, as in the case of the settlements, the separation barrier will become a permanent fact to support Israel's future claim to annex territories."

The heads of Christian churches in Jerusalem on 26 August 2003 issued a statement affirming their belief that the consequences of the proposed separation wall around Bethlehem, the birthplace of Jesus Christ,

> "will be devastating to the Christian community; not least because of the psychological impact on daily life. The community will be isolated following the deprivation of access to land and the freedom of movement. Visits of pilgrims will be further discouraged."

They also said: "the separation wall constitutes a grave obstacle ... For both nations the Wall will result in a feeling of isolation."

In their final communiqué issued at their annual coordination meeting held in New York on 30 September, the Ministers for Foreign Affairs of the OIC member States condemned the building of the expansion wall, involving the confiscation of thousands more dunums of Palestinian land, the isolation of dozens of Palestinian villages, towns and cities and the destruction of property and the livelihood of thousands of Palestinians.

Clearly, Israel, as the occupying Power, has unequivocally and consistently failed to adhere to its obligations vis-à-vis the Palestinian civilian population in accordance with international law and international humanitarian law. This situation has prevailed for the last 36 years, but has become particularly acute since September 2000.

The impunity being granted to Israel also serves to encourage further violations, including grave breaches, of the Geneva Conventions and the Hague Regulations.

We have consistently called for an international protection force as an enforcement mechanism and first

step towards the withdrawal of the Israeli occupation forces from the occupied Palestinian territories, and the dismantlement of the occupation. We reiterate that demand. In the light of the escalating violence perpetrated against Palestinian civilians by the Israeli military throughout the occupied Palestinian territories, such a protection measure has become ever more necessary.

In history, the Council will bear the responsibility for further immeasurable bloodshed and destruction if it fails to act, thus allowing Israel to continue its construction of the wall, its settlement policies and the perpetuation of its illegal occupation of Palestinian and Arab territories.

We reiterate that the root cause of the present conflict in the region is the continuing illegal Israeli military occupation of the Palestinian territories, including Jerusalem, and of Arab territories since 1967.

The only way out is for the Council to compel Israel to stop its brutal and bloody military campaign against the Palestinian people, to stop its colonial settlement policies and to return to the conference table, as envisaged in the peace process in order to end Israel's occupation of the Palestinian and Arab territories and to ensure that the process is pursued and concluded in a judicious and constructive manner.

The President: I now call on the Ambassador of Italy.

Mr. Spatafora (Italy): I have the honour to speak on behalf of the European Union. The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the associated countries Bulgaria, Romania and Turkey, and the European Free Trade Association countries Iceland and Liechtenstein, members of the European Economic Area, align themselves with this statement.

The European Union expresses its strongest concern over the upsurge of violence in the Middle East. Our priority is to call all parties concerned in the region to exert maximum restraint, stop violence and respect their obligations in order to make rapid progress towards full implementation of the Quartet's road map.

The European Union is strongly opposed to the construction by Israel of a separation wall in the West Bank, and urges the Government of Israel to stop its construction in the Palestinian territories, including in and around Jerusalem, and other illegal activities, such as the confiscation of land and the demolition of houses, that it entails. It undermines Palestinian trust in the road map and appears to prejudge the final borders of a future Palestinian State. The current and planned path of the security fence is unacceptable.

The European Union also calls on Israel to freeze all settlement activities. They create a material obstacle and a fait accompli that would prevent the realization of the two-State solution, as laid out in the road map accepted by the two parties at the Aqaba Summit on 4 June 2003. As a result, a negotiated peace settlement would be much more difficult to achieve. The inadmissibility of the acquisition of territory by force is a fundamental principle of resolution 242 (1967), on which any peace process must be based.

The European Union condemns in the strongest possible terms the vicious terrorist attacks against Israeli citizens. Such attacks, including last week's suicide bombing in Haifa, which once again caused the death and injury of numerous innocent civilians, are not only morally indefensible, but damage the interests of the Palestinian people. The European Union expresses again its deepest condolences to the families of the victims.

The European Union considers the authors of these acts enemies of peace. It strongly urges the Palestinian Authority to take all immediate, decisive steps against individuals and groups conducting and planning violent attacks. The European Union further calls on all States to end the harbouring and support, including fund-raising and financial assistance, of any groups and individuals that use terror and violence to advance their goals.

The European Union renews the call to all Palestinian organizations to immediately declare a ceasefire. It calls on Israel to abstain from any punitive measures, including extrajudicial killings and collective reprisals, and to act in accordance with international law.

The European Union understands the security preoccupation of Israel and recognizes its legitimate right to self-defence in the face of terrorist attacks against its citizens. The European Union also stresses that the fight against terrorism must be carried out in full respect for the principles and rules of international law and international humanitarian law. It reaffirms its

belief that only a negotiated settlement of the conflict, leading to the end of the occupation and the creation of a viable Palestinian State alongside Israel, will bring the security that Israel is entitled to.

Also in the context of international law, the European Union calls on the Government of Israel to exert maximum efforts to avoid civilian casualties. Therefore, the Government of Israel, as the road map states, must

> "take no action undermining trust, including deportations, confiscation and/or demolition of Palestinian homes and property, destruction of Palestinian institutions and infrastructure; and other measures specified in the Tenet Work Plan."

The European Union calls on the Government of Israel to take immediate steps to ease the humanitarian and economic plight of the Palestinian people, including through easing the movement of people and goods and ensuring access to international humanitarian organizations. The European Union reaffirms that settlement activity must stop.

Finally the European Union reiterates its call on the Government of Israel made on 12 September not to implement the decision in principle to expel the Chairman of the Palestinian Authority.

The European Union reaffirms the strategic importance of the Palestinian Authority as a partner for peace. It reiterates its call on the Palestinian Authority to undertake visible efforts to dismantle terrorist organizations and to pursue economic and security reforms. It assures the Palestinian Authority of its full support to achieve these objectives, and expresses its support for the formation of a stable and empowered Palestinian Government.

The European Union strongly believes that to achieve a lasting, just and peaceful settlement of the conflict and a comprehensive peace in the region, including Syria and Lebanon, there is no alternative to the speedy implementation, in good faith, by all sides of the Quartet road map, which contains clear timelines for the establishment of an independent and viable Palestinian State, living side by side with Israel, together in peace and security and for the normalization of Arab-Israeli relations. The European Union underlines the need to move quickly towards political negotiation among the parties with the support of the international community.

The European Union reaffirms its commitment and the need for determined and coordinated action by the international community, and draws the attention of the parties to the statement (S/2003/951) of the Quartet of 26 September. The European Union is maintaining close contacts with all the parties involved, and is ready to assist them in their implementation of the road map. It also emphasizes the vital need for an effective and credible monitoring mechanism in the field, which is essential to that implementation, and stands ready to participate and contribute to it.

The President: I call on the Ambassador of Norway.

Mr. Løvald (Norway): Again, the situation in the Middle East is causing great concern. The implementation of the road map has stalled. The logic of violence is prevailing, as it has so many times before. Norway urges the parties to resume implementation of the road map, which has the backing of the international community and the acceptance of both parties.

Norway has repeatedly condemned terror. Norway's Foreign Minister will repeat this condemnation in no uncertain terms when he meets with President Arafat today. Furthermore, we will call on President Arafat to ensure that Palestinian security organizations are consolidated and will be reporting to an empowered interior minister.

Norway recognizes Israel's legitimate right to self-defence. However, we note with great concern the recent decision of the Government of Israel on the routing of the second phase of the wall, which in most places runs illegally deep into the West Bank.

The chosen route will have several undesirable side effects. It will result in the confiscation of Palestinian land. It will prevent farmers from reaching their land and crops. The residents of several Palestinian villages will have their freedom of movement further curtailed. The Palestinians see the route as creating facts on the ground and as an attempt by the Government of Israel to unilaterally decide the borders of the future Palestinian State. Building the wall on Palestinian land is undermining the Palestinians' confidence in the peace process, and is thereby endangering the prospects for a two-State solution.

The Norwegian Government would have preferred to see no wall erected between Israelis and Palestinians, as we deem it hard to see the fence as a means to sustainably address the security problems facing the Israeli and Palestinian populations. That can be done only by ending the occupation and establishing a Palestinian State living side by side in peace and security with Israel. However, if the Government of Israel chooses to continue to build the wall, it must be built along the Green Line, and not on the West Bank. Norway urges the Government of Israel to reconsider the routing of the wall and to build the wall along the Green Line or on Israeli territory instead.

The President: I call on the Ambassador of New Zealand.

Mr. MacKay (New Zealand): New Zealand strongly supports the efforts of the Quartet to work towards a peaceful resolution of the Israeli-Palestinian dispute through the road map. We are very concerned at the tragic increase in violence that has occurred over the past few months. An appalling example is the recent attack in Haifa, where, again, innocent people, including women and children, were maimed and killed. New Zealand expresses its deepest sympathy for all the victims of violence, both Israeli and Palestinian.

This needless suffering highlights once more the need for both sides, with the support of the international community, to focus on finding a resolution to this conflict. We call on Israeli and Palestinian leaders to commit to the peace process and to implement their respective obligations under the road map. They must not allow the acts of a few to destroy the hopes of all for peace.

Israel has the right to act to preserve the security of its people, but the construction of a security wall taking in areas of the West Bank serves only to undermine the peace process and the trust needed for constructive negotiation and dialogue. We urge Israel to reconsider its decision to proceed with this wall.

Now is the time to show leadership through restraint and to break the escalating cycle of incident and response, which is eroding the prospects for the road map. Extremists are cynically using violent attacks to disrupt efforts to bring about peace. Assassinations, settlement activity and heavy-handed military responses help to ensure that this tactic succeeds.

New Zealand welcomes statements from Palestinian leaders condemning the Haifa attack and renouncing terror. The Palestinian leadership must take tangible steps to demonstrate its commitment to stopping extremists from committing such acts. New Zealand has been encouraged by the efforts that have been made at reform this year, including the appointment of the first Palestinian Prime Minister. That progress must not be allowed to falter and we look forward to further steps at reform under the new Prime Minister.

The President: I now give the floor to the representative of Lebanon.

Mr. Kronfol (Lebanon) (*spoke in Arabic*): The extremely grave situation prevailing in the occupied Palestinian territories has already had such serious negative implications for the entire Middle East region that it has become a cause of great concern for all countries and peoples of the world. One of the threats arising today is Israel's ongoing construction of a huge racist wall, designed, inter alia, to seize large tracts of Palestinian land and annex them to the Zionist entity; to lay siege to the Palestinian people, increase their isolation and cut them off from their natural physical environment; and to turn Palestinian territory into isolated pieces of land subject to oversight and control by the colonial military settlements, which continue their creeping expansion, undermining the territorial integrity of the would-be Palestinian State and preventing the population of the territories from travelling to their capital in East Jerusalem and gaining access to their holy places of worship.

The construction of this wall falls within a larger scheme that is plain to see. The scheme is now being implemented in graphic detail in the Gaza Strip, one of the most densely populated regions in the world, which Israel is tearing apart by force into four segments, with a view to attaining the political and economic subjection of the Palestinian population to Israeli control and to severing its only outlet to the world: the Arab Republic of Egypt.

What is called a wall is in fact an integrated system of large projects, including highways, bypass roads, observation towers, electronically operated bunkers for automatic weapons, lighting systems on both sides of the wall and military barracks. The wall is three times that of the Berlin wall. Construction costs are so astronomically high that the Israeli State has

been unable to finance the wall on its own and thus has had to make use of foreign credit guarantees.

The expansionist policy pursued by Israel since its creation in 1948 and practised for more than half a century has created a huge humanitarian crisis for the Palestinian people. That has resulted in the displacement of some 4 million Palestinians, who have been uprooted by Israel from their land and turned into refugees. Among that population, an entire generation knows almost nothing beyond life in refugee camps in the West Bank, the Gaza Strip, Lebanon, Syria, Jordan and several other countries and whose members are prevented by Israel from returning to their homes.

Israel has continued to build colonial settlements in the Palestinian and other Arab territories occupied by it since 1967, despite United Nations opposition to the Israeli settlement policy, which is in open defiance of the will of the international community and the relevant resolutions of the Security Council and the General Assembly, which consider the construction of Israeli settlements in the occupied Arab territories to be a violation of the norms of international law and the Fourth Geneva Convention of 1949.

The construction of this wall is the culmination of a security scheme covering all settlements illegally built by Israel on the occupied Palestinian territories since 1967 and consolidating those settlements as a prelude to devouring the territories and annexing them to the Zionist entity.

The Israeli representative said this morning before the Council that after his country withdrew from southern Lebanon in May 2000 it had built a wall similar to that now under construction in the occupied Palestinian territories and that Israel had moved part of that wall 95 centimetres, at the cost of millions of dollars, in deference to the Secretary-General's wishes.

If those words are true, and if that is Israel's logic, then the question that arises today is: why has Israel not withdrawn in response to the calls by the international community and world public opinion? Why does Israel not respond to the call by the Secretary-General and the international community to stop the construction of the wall on Palestinian territory? Those calls have been made for more than two years now. Why has Israel waited for 22 years — and waged three wars and hundreds of air raids until it was forced to withdraw from southern Lebanon — to build this wall?

That withdrawal took place because we upheld our rights and because the international community also upheld those rights. Israel's withdrawal from southern Lebanon came under pressure from the resistance in southern Lebanon. Despite Israel's construction of the wall, Israel continues to occupy the Shab'a farms. The construction of the wall along the Blue Line did not prevent Israel from committing acts of aggression against Lebanon and waging air raids and other deliberate strikes against Lebanese territory.

The Palestinian people endure nothing but tragedy as a result of this overt plunder of its territories and assets and of the standard accusation against the Palestinians of being terrorists. Palestinians are pressured and executed because they demand their legitimate rights not to have their homeland torn apart and to prevent the pillaging of their natural resources by Israeli settlers under the protection of the Israeli occupation army.

The continuation, by Israel, of the construction of the wall will isolate Israel itself from the whole world and from its natural physical environment — politically, humanely and economically. The near future will prove that Israel, instead of forcing the Palestinian people to live in isolation, is actually creating a much greater isolation for itself, an isolation in a ghetto similar to those horrendous ones known in European history. The Government of Israel will thus destroy all prospects for the revival of the peace process, especially the peace offered in the Arab peace initiative, adopted at the Beirut summit in 2002.

If the Government of Israel continues to brush aside the advice offered by the friends of peace and the international community, and persists in the construction of the wall, that construction will be yet another testimony to the continued injustices committed by the Government of Israel against the Palestinian people and proof of the selfishness and inhumane attitude of the Israeli people.

Lebanon, which has been directly affected by the displacement of the Palestinian people since 1948 and continues to live side by side with this valiant people and to resist this tragedy, does not accept that these people continue to live in isolation as prisoners of the occupation within a new, large Israeli prison.

Therefore Lebanon appeals to the Security Council to adopt the draft resolution, submitted by the Arab group, which considers the construction by Israel,

the occupying Power, of this wall in the occupied Palestinian territories as a violation of the 1949 armistice line. The draft resolution also states that this construction is illegal on the basis of international law and requires the end of construction on the wall, the demolition of those portions that have already been built and the restoration of the status quo ante.

Until the establishment of a comprehensive and just peace leading to the establishment of a sovereign Palestinian State that would include all national Palestinian territory — according to the 4 June 1967 borders — with Jerusalem as the capital, we hope that the Council's resolutions will uphold the status of the United Nations and its central role in bringing about justice and building peace.

Mr. Taha (Sudan) (*spoke in Arabic*): Allow me to read to you the statement of the permanent representative of Sudan, who was unable to attend this meeting.

It gives me pleasure to congratulate you on your assumption of the presidency of the Security Council for this month. We are fully confident that thanks to your wide experience, you will lead the deliberations of this important organ to the just and desired results on all the burning international issues, foremost among which is the situation in the occupied Arab territories, which are daily moving swiftly and irreversibly towards the brink.

Here we are again, meeting in this hall for the third time in less than a month to rehash the same repetitive statements. We all look forward to a just and decisive decision that will at least return credibility to this international organ, let alone return an iota of security to the Palestinian people.

We repeat our calls in this hall to no avail. There is no point in describing the situation in the occupied territories, since it is well known by all. Also well-known is the huge number of Council resolutions that remain ineffective, not a single provision of which has been implemented, because of Israel's flagrant defiance of international legality and its contempt for the resolutions of this Council. The Council stands without action in the face of all this, so much so that this organ has been accused by the majority of the peoples and countries of the world of acting unjustly towards the rightful owners of the land instead of discharging its responsibility to compel the usurping conqueror to abide by the resolutions.

The world saw in the road map a glimmer of hope that could lead to peace and put an end to the plight of a people who have been facing State terrorism for decades. But now that glimmer of hope has turned into a hail of bullets, thus aborting the efforts of the international community and the Quartet. The series of invasions of cities in the West Bank and the Gaza Strip and the assassinations of the symbols of the resistance have continued, and the Palestinian territories have turned into Bantustans that are isolated from each other.

Israel, not satisfied with this, went further, proceeding to the construction of an expansionist wall that devours a significant amount of Arab land, without paying any heed to the repeated calls by the international community to not commit such a crime. At the same time, Israel continues its threats to deport the democratically elected President, Yasser Arafat, and continues its act of aggression against sisterly Syria.

The construction of this expansionist wall constitutes a terrible slap in face to international legality in general and to the Security Council in particular. The Council continues to be a bystander, a spectator watching Israel forcibly devour the Palestinian territories by the construction of this wall, driving the last wedge between it and the legitimate owners of the land. Israel puts the last nail in the coffin of any political settlement by means of the road map, in choosing the military option in this sensitive and volatile part of the world. This Council, today more than ever before, is called upon to adopt a decisive and just stand that will restore the authority of the Council before returning the road map to its proper track.

The President: I call on the Ambassador of Nepal.

Mr. Sharma (Nepal): Mr. President, at the outset, let me congratulate you on your assumption of the Presidency of the Security Council for the month of October 2003, and for the outstanding manner in which you have been able to conduct the business of this Council. I also thank you for convening this timely open debate on the situation in the Middle East, including the Palestinian question.

John Maynard Keynes said, "In the long run we are all dead." A whole generation has passed while we try to resolve the Middle East problem, and it is our passion for the short-term solution that has kept the

region at the boiling point and prevented a comprehensive solution to the problem for a whole generation. It is about time that the international community took a bolder step.

Nepal has always spoken very clearly about the Middle East. Israel has the right to live in security, within secure borders, and to protect its people and its property. Palestinians have the right to a viable State — secure, peaceful and within the 1967 borders.

We have consistently denounced the excessive use of force by Israel against innocent Palestinian civilians and attacks by Palestinians against innocent Israeli civilians. After more than a half-century of conflict and bloodshed, everyone should understand that there can be no solution to the Middle East problem through violence. Only constructive dialogue and flexibility from both sides will lead to a comprehensive and durable peace in that troubled region. Reflexive violence and counter-violence will only worsen the situation, as we have witnessed.

Indeed, suicide bombings drive the Israelis into despair. By the same token, the building of Jewish settlements and the presence of Israeli security forces in Palestinian territories, as well as the excessive use of force against innocent Palestinians, drives them into despair as well.

The security wall Israel has been building has further fueled the flames. Nepal would have no difficulty had Israel erected the security wall on its own territory, but building a wall within the Palestinian territory is absolutely unacceptable.

Nepal is opposed to Israel's attack on Syria for three reasons: first, it is illegal to attack another country without explicit provocation; secondly, it sets a very wrong precedent; thirdly, it can give a sense of impunity to larger or more powerful States that might wish to attack their smaller or weaker neighbours without justifiable reason.

Nepal urges both sides to stop trading charges and to sit down at the negotiating table and find a comprehensive settlement to this long-festering problem.

The international community might have limited options to bring peace and normalcy to the Middle East, but it certainly has not run out of options. The Quartet, with the help of the wider world community, could find a way to implement the road map.

Nepal shares the Secretary-General's view that bold steps, in keeping with the road map, are now necessary to salvage the peace, as small steps have not worked.

Some ideas might not be relevant at a certain time, but could be at another. The world community should not allow the unconscionable bloodshed in the Middle East to go on. At some point, it needs to take steps to protect the people and property of the two sides to the conflict.

Maybe it is time to consider disengaging the two conflicting parties by deploying international forces along the 1967 borders to keep the peace while the two parties negotiate a final settlement.

I urge the Security Council to do everything in its power to stop the bloodshed and help the region to achieve a comprehensive peace. The people of the Middle East deserve it, and the international community has the obligation to help ensure that it happens.

The President: I now call on the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Mr. Fall (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (*spoke in French*): Mr. President, I am sure that you can understand how pleased I am to see you presiding over the work of the Council, given the key role that your country, the United States, is playing in trying to achieve a negotiated and peaceful settlement in the Israeli-Arab conflict, and also because of the skill, determination and resolve with which you personally are carrying out your tasks as Permanent Representative.

I wish to convey to you, Sir, and to your predecessor from the United Kingdom, my warmest congratulations on a very fruitful presidency, and I wish warmly to thank you for giving the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People the opportunity to take part in this important discussion on the situation in the Middle East, including the question of Palestine — most especially at a time when the Israeli Government is persevering relentlessly with the construction of a so-called security wall in the occupied West Bank and in the environs of East Jerusalem.

Once again we have come before the Council, this time to consider the implications and consequences of a decision that is controversial, to say the least — the decision taken by an Israeli Government, which, deaf to all appeals and confident of its impunity, is persisting in the unlawful construction in the occupied West Bank of a wall that in many places is located to the east of the Green Line.

According to a range of substantiated reports and testimony, the separation wall would cut as much as six kilometres into the West Bank, separating tens of thousands of Palestinians from their own environment while hermetically sealing off a number of Palestinian communities and areas. This would have grave consequences, undermining the territorial continuity of the future Palestinian State and thus prejudging the outcome of negotiations on final status.

To make matters worse, on 31 July the Israeli Defence Minister announced the completion of the first phase of that tremendous undertaking, which extends along some 145 kilometres and which resulted in the demolition of a large number of Palestinian houses and in the unlawful confiscation of more than 1,000 hectares of very fertile Palestinian land.

Worse still, the Israeli authorities have even issued expropriation decrees, with a view to building the so-called Jerusalem envelope fence, which would confine some 50,000 Palestinians on the Israeli side, cut off from the rest of Palestine. Built on Palestinian land, the wall geographically separates the Palestinian people and deprives them of their lands, their crops, their employment and essential public services, in particular in the areas of health and education.

In what has been denounced as provocation or an act of arrogance, the Israeli Government, according to recent reports, has just approved the second phase of the building of the Elkana wall in Jerusalem, where a distinct network of fences is apparently being built. Together with the United Nations and the Quartet, our Committee is deeply concerned at the dangers of a project designed to build this wall to the east of the Ariel, Kedumim and Immanuel settlements, thus extending the wall into areas which are 20 kilometres within the West Bank.

In breach of the Fourth Geneva Convention, these construction projects will have the effect of creating walled enclaves in which thousands of Palestinians would be confined in open-air detention camps, as the President of Doctors without Borders has described them. He, along with other observers, has denounced the Israeli policy of "confining a whole people within a pitiless system of domination and segregation".

For those reasons, our Committee has consistently expressed its concerns at the construction of the wall, although we understand perfectly well Israel's legitimate right to create security structures — on its own territory, however, not on that of another people and contrary to its wishes. Therefore, the Council will understand the general consternation over the scope of the construction work and the speed of its execution, which bode ill for the outcome of the ongoing negotiations on the final status and establishment of a unified Palestine State.

The wall is not only provoking resentment on the part of the Palestinian population, but is also aggravating tensions in an already devastated region and undermining stability for the long term, if not irreparably. Sadly, despite repeated appeals from the international community — particularly the Quartet of mediators and including Tel Aviv's own allies and friends — the Israeli Government is calmly proceeding to build this new infrastructure of hostility, deliberately taking the historic risk of obliterating the prospects of creating a unified Palestinian State — a vision that conforms to that of President Bush — and of annihilating the Palestinian Authority's praiseworthy efforts to induce the people to adopt measures promoting the peace process.

That is why it is essential that the international community — particularly the Security Council — persuade, if not compel, Israel to halt the construction of this wall and to dismantle the structures already built. Doing that will send a clear message of firm opposition to the building of this despicable wall, whose objective is to annex Palestinian lands on the basis of a fait accompli on the ground.

We implore the Council to do everything possible — with the Quartet's assistance — to bring about a reactivation of the road map, which remains the best alternative and the only way available to simultaneously guarantee security for the Israelis, the creation of an independent State for the Palestinians, and peace and stability in the entire region.

The heart of the conflict lies in Israel's perpetuation of the illegal occupation of the Palestinian

territory and in the commission of illegal acts related to that occupation.

In conclusion, I urge the Israeli leaders and their allies and friends, as well as all the members of the Security Council, to reflect on the very lucid, responsible and Promethean appeal by the Israeli Member of Parliament Avraham Burg, former President of the Knesset:

> "We must remove all the settlements — all of them — and draw an internationally recognized border between the Jewish national home and the Palestinian national home. The Jewish Law of Return will apply only within our national home, and their right of return will apply only within the borders of the Palestinian State."

There is no doubt that Israel must make clear choices, as urged by the former President of the Knesset:

> "... Jewish racism or democracy, settlements or hope for both peoples, false visions of barbed wire, roadblocks and suicide bombers, or a recognized international border between two states and a shared capital in Jerusalem."

May those words inspire us all — and first and foremost our Israeli friends.

The President: The Permanent Observer of Palestine has requested the floor to make a further statement.

Mr. Al-Kidwa (Palestine) (*spoke in Arabic*): This morning, the Security Council listened to a statement that represented a new standard — in terms of legal and political ugliness — in Israeli statements before the Council. Let me cite a few specific points to demonstrate that. The Israeli representative said

(*spoke in English*)

> "killing the innocent is wrong."

(*spoke in Arabic*)

I should like to add that the killing of innocents is wrong, regardless of whether those innocents are Israelis or Palestinians. That is precisely the difference between the attitude of the Palestinian side and that of the Israeli side. There is the difference between him and me, and that is one of the reasons for the situation we are currently facing.

My second point: the Israeli representative said that Israel has no choice but to build this wall. The only correct and possible option, as indicated by several previous speakers, is that it be built either along the armistice line of 1949 or within Israeli territory. The Israeli representative failed to cite a single reason for building the wall deep inside Palestinian territory.

My third point: the Israeli representative spoke of the wall as if it were another kind of wall, to the point that he denied the existence of any wall that isolates any portion of Palestinian society — as simple as that, right in front of the Council, even while the entire international community was looking at pictures of the wall. The city of Qalqilya alone — which has a population of 40,000 — is surrounded by the wall on all sides and has only one exit. That has not happened anywhere else in the world, even under the most horrendous circumstances.

My fourth point, which is perhaps the most serious: the Israeli representative, after stating that the Green Line is not a border line and that there is no sovereignty over the West Bank and Gaza, touched on his central point — that he considers the Palestinian territories to be not occupied territories but disputed lands. That is precisely the essence of the problem. What has changed is that the Israeli representative had the audacity to declare that position before the Security Council, despite the norms of international law and international humanitarian law and scores of relevant resolutions. In effect, the Israeli representative declared the Government of Israel's rejection of peace, of the road map and of any basis for a peaceful settlement between the sides. In effect, he rejected peace and declared that the crisis would last until the dissolution of the Government of war that he represents. That position must be strongly condemned, because with that position there will never be peace in the Middle East region. That is why there is a wall and settler colonialism on our lands. That is also why they reject the national existence of the Palestinian people.

I wish finally to raise a couple of points with regard to another matter. First, the Palestinian side welcomes the two proposals put forward this morning by the Permanent Representative of the Russian Federation. We are fully ready to cooperate with the delegation of the Russian Federation here at the United Nations regarding the idea put forward by the Russian Foreign Minister Mr. Ivanov, at the Quartet meeting. We hope, of course, that this will take place after the

Council has been able to take a clear stand regarding the expansionist wall, so that there will be concrete meaning for the steps that follow.

Secondly, we would like to express our appreciation to the sponsors of the draft resolution submitted to the Council today (S/2003/980). It is our hope that the Council will take action before the day is out and will act on the draft text, and it is our hope that it will be adopted so that the option of peace and the two-State option will remain viable.

The President: The representative of Israel has asked to make a further statement as well, and I give him the floor.

Mr. Gillerman (Israel): We are all tired, both figuratively and literally, so I will limit myself to a few brief comments. It has been a long debate, and like previous debates of its kind, those seeking to censure Israel have been long on propaganda and short both on fact and on self-reflection. I will not bother to respond to each of the accusations made. The tendency of the Palestinian observer for exaggeration and misrepresentation is well known. But I will say that it is difficult to see how these kinds of events help the peace process forward or encourage understanding between the parties.

Let us not forget that we would not be here today had the Palestinians agreed at least to negotiate in good faith the two-State solution offered at Camp David, rather than embark, on the orders of the Palestinian representative's sponsor, on a path of terrorism and destruction.

The fence is a direct outcome of that terrible, horrible Palestinian decision. Familiar talk of occupation as the source of all evil rings hollow when an opportunity to end the present situation was so clearly rejected by the Palestinian side. The message sent by that rejection, by the fact that no Palestinian State was established during the 19 years of Jordanian and Egyptian occupation of the West Bank and Gaza, and by the daily murder of innocent Israelis, is that this has nothing to do with so-called occupation. Not a single inch was so-called occupied between 1948 and 1967. It has to do with the rejection of the right of the Jewish people to self-determination and their ancient homeland, side by side with their Palestinian and Arab neighbours. When the Palestinian side and our Arab cousins are willing to rectify this and accept some measure of responsibility, the path to peaceful settlement will be laid out before us.

Unfortunately, the terror Israel is facing is global. It is not limited to one region or one conflict. The dilemmas Israel faces today are dilemmas other States, sadly, may well face tomorrow. We would urge delegations, before deciding how to respond to this issue, to think about this, and also to think of the lives that can be saved by this security fence, and the lives that could have been saved had it been constructed earlier, and to consider whether their energy, and the energy of the Security Council should be expended debating security measures adopted in self-defence, or addressing the terrorism that made such measures necessary.

The families that were wiped out last week in Haifa by the suicide bomber who infiltrated through an opening in the yet incomplete fence could be with us today if there had been a fence. Unfortunately, we cannot bring them back. But we can and must save other families who could face a similar fate. It is our duty to protect them, and it is the duty and obligation of the international community and the Security Council to see that we do.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 4.40 p.m.